

**Ares(2022) 1499976 – 01.03.2022**

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

**Reporting period 2020-2021 (deadline for submission 30 April 2022)**

<b>Member State:</b>	Republic of Croatia
<b>Organisation:</b>	Ministry of Agriculture - Directorate of Fisheries (MA-DoF) and the Ministry of Finance - Customs Administration (MFCA)
<b>Date:</b>	
<b>Name, position and contact details of responsible official:</b>	<ul style="list-style-type: none"> <li>• [redacted], Single Liaison Office MA-DoF (e-mail: [redacted]@mps.hr); tel: [redacted]; fax: [redacted];</li> <li>• [redacted], Single Liaison Officer MA-DoF (e-mail: [redacted]@mps.hr); tel: [redacted]; fax: [redacted];</li> <li>• [redacted], Single Liaison Officer MA-DoF (e-mail: [redacted]@mps.hr); tel: [redacted]; fax: [redacted];</li> <li>• [redacted], Single Liaison Officer MA-DoF (e-mail: [redacted]@mps.hr); tel.: [redacted]; fax.: [redacted];</li> <li>• [redacted], [redacted] MFCA (e-mail: [redacted]@carina.hr); tel [redacted]; fax [redacted].</li> </ul>

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

**Please check if your notified authorities under the IUU Regulation (Articles 15.2, 17.8 and 21.3) correspond with the latest version of the Official Journal:**

[https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52021XC0215\(01\)](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52021XC0215(01))

**Article 15.2 (exportation of catches):** Competent authority for the validation of the catch certificates for its own fishing vessels in Republic of Croatia is Ministry of Agriculture, Directorate of Fisheries (MA-DoF).

**Article 17.8 (verification of catch certificates):** Ministry of Finance, Custom Administration is competent authority for checks and verification of the catch certificates in accordance with Article 16 and paragraphs (1) to (6) of this Article. (Article 17(8)).

**Article 21.3 (re-exportation):** Competent authority for the validation and verification of the section re-exportation of catch certificates in Republic of Croatia is Ministry of Finance, Custom Administration (MFCA).

**If not, please provide the updated notification to DG MARE through the Functional mailbox: MARE-NOTIFICATIONS-IUU-1005-2008@ec.europa.eu**

**Please state your notified authorities under the IUU Regulation in accordance with Article 39.4 (nationals):**

Ministry of Finance, Custom Administration (MFCA) and Ministry of Agriculture, Directorate of Fisheries, together are responsible authorities for coordinating the collection and verification of information on activities of nationals and for reporting to and cooperating with the Commission.

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

Please transmit your national law and/or any administrative guides for the implementation of Council Regulation (EC) No 1005/2008 on illegal, unreported and unregulated fishing (IUU Regulation). If available, please provide the link to the official national database.

Legal framework governing marine fisheries in the Republic of Croatia include Marine Fisheries Act<sup>2</sup>, (Official Gazette No. 62/17, 14/19).

Pursuant to the Article 2 point 12 and 13 of the Marine Fisheries Act, both **the Council Regulation (EC) No 1005/2008** of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing, amending Regulations (EEC) No 2847/93, (EC) No 1936/2001 and (EC) No 601/2004 and repealing Regulations (EC) No 1093/94 and (EC) No 1447/1999 (IUU Regulation) and **Commission Regulation (EC) No 1010/2009** of 22 October 2009 laying down detailed rules for the implementation of Council Regulation (EC) No 1005/2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing are fully transposed in the Croatian law by the Marine Fisheries Act and are applied directly.

On the basis of the Marine Fisheries Act, a wide range of implementing regulation has been adopted, which further regulate specific issues (<https://ribarstvo.mps.hr/default.aspx?id=10>).

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<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> [Zakon o morskom ribarstvu \(nn.hr\)](https://zakon.hr/Zakon_o_morskom_ribarstvu_nn.hr)

## **Section 2. Information on administrative organisation<sup>3</sup>**

2.1. Please provide information on your administrative organisation for the implementation of Council Regulation (EC) No 1005/2008 on illegal, unreported and unregulated fishing (IUU Regulation), in particular as regards:

- port inspections (Chapter II);
- catch certification scheme (Chapter III).

In the Republic of Croatia the Ministry of Agriculture Directorate of Fisheries (MA- DoF) and the Ministry of Finance Customs Administration (MFCA) are jointly responsible for implementation of the Council Regulation (EC) No 1005/2008 on illegal, unreported and unregulated fishing (IUU Regulation). Internal agreement (2013.) defines responsibility on implementation of IUU Regulation 1005/2008 between the Ministry of Finance (Customs Administration) and Ministry of Agriculture (Directorate of Fisheries- DoF). Competent authority for the validation of the catch certificates for its own fishing vessels in Republic of Croatia is Ministry of Agriculture, Directorate of Fisheries (MA-DoF). Ministry of Finance, Custom Administration is competent authority for checks and verification of the catch certificates and verification of the section re-exportation of catch certificates.

Inspection, surveillance and control of the fisheries sector in Republic of Croatia is undertaken by several different services. The most important one is the Fisheries Inspection of the Ministry of Agriculture - Directorate of Fisheries (MA-DoF), which is the only strictly dedicated service for inspection, surveillance and control in fisheries. Considering possible challenges to facilitate the on-the-spot control and increase coverage of the inspection activities Croatia has adopted an electronic system for detection of the discrepancies between data and potential irregularities (VALID), as well as an application for identified risks. The data introduced in these two applications are cross-checked, and access is available to all officials involved in control procedures, and in this way horizontal and vertical cooperation among persons conducting observation and inspection is comprehensive regardless of the competent authority in which they are employed.

On-the-spot inspections are planned and implemented based on risk analysis and potential number of infringements in relation to landed quantities and/or number of vessels operations in a certain port. However, given the length of the coast and the multitude of different types of activities in the field of fisheries, other state administration bodies are authorized to perform these tasks as well. These include the Port Authority inspectors of the Ministry of the Sea, Transport and Infrastructure and the authorized persons of the Maritime Police of the Ministry of Internal Affairs. Furthermore, inspection in fisheries may be performed by authorized persons of the Coast Guard of the Republic of Croatia, as well as the State Inspectorate (in the area of trade and markets of fisheries products). All these state administration bodies cooperate through the Governmental Cooperation for surveillance and control at sea, as well as through other available instruments (ordinances on cooperation, memorandums of understanding, strategic documents, action plans etc.). Furthermore, a different Ordinances on the internal organization of the competent authorities prescribe at large the jurisdiction of each state body. Pursuant to these Ordinances, Instructions for actions for each state body are issued. There are points of contact in the jurisdiction that is sought to be done through coordinated controls and joint action of various competent authorities, and the interaction between them is very effective. Finally, an internet application (e-inspection) has been developed as the official application within all officials that perform inspection, and it already shows a great improvement in the cooperation and the coordination

Pursuant to the Article 65 of the Marine Fisheries Act in the implementation of inspection supervision, the inspector and authorized persons are authorized to photograph or record persons, inspect, photograph or record tools, vessels, facilities, business premises and other premises and premises,

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<sup>3</sup> This section 2 is to be filled-in by all Member States i.e. coastal and landlocked Member State.

ports, products, devices, vessel equipment, means of work, vehicles, business books , registers, documents, contracts, documents and other business documentation that provides insight into the operations of legal and natural persons regarding the application of this Act and regulations adopted on the basis thereof.

The inspector and authorized persons are authorized in the supervision procedure to request and inspect documents based on which the identity of the person can be established (identity card, passport, etc.), and the person subject to supervision and the person found at the place of supervision are obliged to give him such a document for inspection.

Pursuant to the Article 67 of the Marine Fisheries Act inspectors and authorized persons shall perform inspections without prior notice. Exceptionally, the inspector may inform the supervised entity about the beginning of the inspection if he considers that this will not reduce the effectiveness of the inspection.

Finally, and according to the article 69 of the Marine Fisheries Act, in case they find that this Act or another regulation adopted based on it has been violated, the inspectors are authorized to:

1. order the elimination of the identified deficiencies by a decision and set an appropriate deadline for their elimination
2. prohibit the placing on the market or order the withdrawal from the market of fish and other marine organisms
3. order a precautionary measure of temporary suspension of activities in accordance with a special regulation governing misdemeanours
4. determine whether a natural or legal person partially or completely meets the conditions prescribed by this Act or regulations adopted on the basis thereof
5. file a criminal complaint or indictment with the competent authority
6. issue a misdemeanour warrants or mandatory misdemeanour warrant
7. collect a fine at the place where the offense was committed.

Pursuant to the Article 70 of the Marine Fisheries Act: The inspector and authorized persons may temporarily confiscate fishery products, fishing tools and equipment and other items for which an offense has been committed in accordance with the provisions governing the confiscation procedure.

The inspector and authorized persons may put a seal on the catch, vessel, tools, equipment, facility and means of transport and / or container.

All competent State Administration Bodies can issue misdemeanour warrant and start the procedure against the perpetrator.

*If different authorities/services are involved in the implementation of the IUU Regulation, please distinguish between:*

- *the control of direct landings of third country fishing vessels;*
- *validation of catch certificates upon exports;*
- *checks and verifications of catch certificates for imports under direct landing;*

- checks and verifications of catch certificates for imports arriving by other means than fishing vessels (e.g. by containers, trucks);
- validation and verifications of re-exports.

*In addition (if different authorities/services are involved), please explain and describe:*

- vertical co-operation (between local/regional authorities and head-quarter);*
- co-operation between different authorities and allocation of tasks for various authorities in the implementation of the IUU Regulation (Fisheries, Health, Customs, Coast Guard, Navy, etc.).*

.....  
 .....  
 .....  
 .....

2.2. 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):*

- *for checks and verifications in accordance with Articles 16 and 17;*
- *for validation of catch certificates and re-export certificates in accordance with Articles 15.2 and 21.3.*

For the checks and verifications of the catch certificates and Annex IV are responsible 14 officials. Among them there are five Single Liaison Officers on the central level (4 SLO in MA-DoF and 1 SLO in MFCA).

In the Ministry of Finance Customs Administration there are 9 customs officers in 4 the Regional Customs Office (RCO) those who are competent for the checks and verifications of the catch certificates and Annex IV regarding IUU Regulation.

Every catch certificate and every Annex IV processing statement were checked by authorized customs officers regarding IUU Regulation. It is very difficult to tell exact time spent on checking of CCs, since it is not the only job included in their tasks but for sure is one defined as the most important one.

2.3. Does your country have freezones/freeports<sup>4</sup> in which activities relevant to importation/exportation/processing of fishery products are authorised?

- Yes                       No

Croatia does not issue any authorization for customs procedures (importation/exportation/processing) of fishery products in free zones/free ports.

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<sup>4</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)

**Section 3. Information on access to ports, including for direct landings and transhipments of fishery products, by third country fishing vessels<sup>5</sup> (and information on related port inspections and confirmed infringements)<sup>6</sup>**

3.1. Does your country have designated ports for access to port services or direct landings or transhipment of fishery products by third country fishing vessels (Article 5 of the IUU Regulation<sup>7</sup>)?

**Yes**

*No*

If yes, please check if your list of designated ports in accordance with Article 5.3 corresponds to the latest version of the Office Journal:

[EUR-Lex - 52021XC1201\(03\) - EN - EUR-Lex \(europa.eu\)](#)

If not, please provide the updated notification to DG MARE through the Functional mailbox: [MARE-NOTIFICATIONS-IUU-1005-2008@ec.europa.eu](mailto:MARE-NOTIFICATIONS-IUU-1005-2008@ec.europa.eu)

3.2. In years 2020 and 2021 respectively, how many times have third country fishing vessels been granted authorisation to access designated ports in your country only for repair/maintenance/supply?<sup>8</sup>

There was no requirement for vessels flying foreign flags to enter Croatian ports.

3.3. How many landings and transhipments in designated ports by third country fishing vessels have been recorded by your country between 1 January 2020 until 31 December 2021? How many inspections did your country carry out and how many infringements have been detected?

There was no requirement for vessels flying foreign flags to enter Croatian ports.

*Please fill-in the table below (2020):*

Inspections of third country vessels in Member States ports (2020)								
Type of operation	Vessels	Figures (2020)	Flag of the third country vessel(s) <sup>9</sup>					Total
			<i>Ex. NO</i>	<i>FS1</i>	<i>FS2</i>	<i>FS3</i>	<i>FSx</i>	
Landings	Non-EU vessels using MS designated ports	Number of landings	100					
		Number of inspections	10					
		% of inspections / landings	10%					
		Number of infringements	3					0

<sup>5</sup> Fishing vessels as defined in article 2.5 of the IUU Regulation.

<sup>6</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>7</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.).

<sup>8</sup> It is reminded that provisions of Chapter II apply to third country fishing vessels aiming to access EU ports for port services, even in cases they do not carry fishery products on board and therefore no landing or transhipment operation is foreseen. Only designated ports in accordance with Article 5 can be used in this context.

<sup>9</sup> ISO Alpha-2 country codes.

<b>Transhipments</b>	Non-EU vessels using MS designated ports	Number of transhipments in ports	2					0
		Number of inspections	0					
		% of inspections / transhipments	0					
		Number of infringements	0					

Please fill-in the table below (2021):

Inspections of third country vessels in Member States ports (2021)								
Type of operation	Vessels	Figures (2021)	Flag of the third country vessel(s) <sup>10</sup>					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					0
Transshipments	Non-EU vessels using MS designated ports	Number of transshipments in ports	2					0
		Number of inspections	2					0
		% of inspections / transshipments	100%					
		Number of infringements	0					

3.4. From the figures above, in the cases where your country detected infringements concerning third country vessels, please specify for each infringement the flag, the vessel's name, the type of infringement and the measures taken / sanction imposed (Article 11 of the IUU Regulation).

Please fill-in the table below (2020):

Flag of the third country vessel <sup>11</sup>	Name of the third country fishing vessel	Type of infringements	Measures taken
FS1			
FS2			
...			
FSx			

Please fill-in the table below (2021):

Flag of the third country vessel <sup>12</sup>	Name of the third country fishing vessel	Type of infringements	Measures taken
FS1			

<sup>10</sup> ISO Alpha-2 country codes.

<sup>11</sup> ISO Alpha-2 country codes.

<sup>12</sup> ISO Alpha-2 country codes.



FS2			
...			
FSx			

3.5. Please provide:

- the quantities of fish landed by third countries' fishing vessels in your designated ports in 2020 and 2021, respectively (by species and flag of the vessels);
- the quantities of fish transhipped from third countries' fishing donor vessels (to third countries or EU fishing receiving vessels) in your designated ports in 2020 and 2021, respectively (by species and flag of the vessels):

*Please fill-in the table below (landings):*

Landings in 2020		Landings in 2021	
Flag of the third country vessel <sup>13</sup>	Landed quantities by species	Flag of the third country vessel <sup>14</sup>	Landed quantities by species
FS1	Species 1: Species 2: Species x:	FS1	Species 1: Species 2: Species x:
FS2	Species 1: Species 2: Species x:	FS2	Species 1: Species 2: Species x:
...	...	...	...
FSx	...	FSx	...

*Please fill-in the table below (transhipments):*

Transhipments in 2020		Transhipments in 2021	
Flag of the third country vessel <sup>15</sup>	Transhipped quantities by species	Flag of the third country vessel <sup>16</sup>	Transhipped quantities by species
FS1	Species 1: Species 2: Species x:	FS1	Species 1: Species 2: Species x:
FS2	Species 1:	FS2	Species 1:

<sup>13</sup> ISO Alpha-2 country codes.

<sup>14</sup> ISO Alpha-2 country codes.

<sup>15</sup> ISO Alpha-2 country codes.

<sup>16</sup> ISO Alpha-2 country codes.

	Species 2: Species x:		Species 2: Species x:
...	...	...	...
FSx	...	FSx	...

3.6. Has your country recorded any case of non-compliance by third country fishing vessels with the provisions of Articles 6 (prior notice) and 7 (authorisation) of the IUU Regulation?

*Yes*                       *No*

If yes, please detail the nature of the infringement and the measures taken / sanctions applied:

In 2020: .....

In 2021: .....

3.7. Since January 2020, has your country denied access to its ports to a fishing vessel for port services, landing or transhipment of fishery products based on the conditions of the IUU Regulation?

*Yes*                       *No*

If yes, please describe the case for each vessel concerned (please include the flag of the vessel and its name) and detail the reasons for the denial:

In 2020: .....

In 2021: .....

3.8. Do you have cases of third country fishing vessels landing in your ports with the landed products destined to another Member State? [Article 19.3 of the IUU Regulation]

*Yes*                       *No*

If yes, please indicate the number of landings meant for transit:

In 2020: .....

In 2021: .....

3.9. In order to identify the vessels to be subject to port inspection, do you 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, in order to reach the objective of 5% of landing and transhipment operations as set in Article 9.1 of the IUU Regulation, which benchmarks you use and rank them:  
.....

**Section 4. Information on catch certification scheme for importation for the purpose of the IUU Regulation<sup>17</sup>**

4.1. How many catch certificates<sup>18</sup> from non-EU countries were submitted to the authorities of your country from 1 January 2020 until 31 December 2021? Please complete the following table by flag State validating the catch certificates, including in cases catch certificates are accompanied by processing statements.<sup>19</sup> Please only provide information on catch certificates accompanying the consignments to be imported in your country; for consignments meant for transit to another Member State (Article 19.1 of the IUU Regulation), please see the question 4.7. of this questionnaire.

<b>Flag State (non-EU)<sup>20</sup></b>	<b>2020</b>	<b>2021</b>
<i>AL</i>	7	3
<i>AR</i>	55	68
<i>ME</i>	3	1
<i>EC</i>	14	11
<i>FK</i>	0	3
<i>PH</i>	21	4
<i>GH</i>	3	0
<i>IN</i>	0	2
<i>ID</i>	13	5
<i>ZA</i>	14	17
<i>CA</i>	2	2
<i>CN</i>	20	21
<i>KI</i>	1	0
<i>KR</i>	11	2
<i>LY</i>		5
<i>MA</i>	103	63
<i>MU</i>	1	0
<i>NI</i>	4	0
<i>NO</i>	2	6
<i>NZ</i>	8	5
<i>PA</i>	8	2
<i>PG</i>	3	0
<i>PE</i>	1	7
<i>RU</i>	13	4
<i>SV</i>	3	3
<i>US</i>	21	19
<i>SN</i>	1	7

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

<sup>18</sup> Please provide only the number of catch certificates i.e. not the number of all transactions (imports/declarations) where the same certificates have been (re)used.

<sup>19</sup> If catch certificates are submitted only for transshipment purposes, please specify.

<sup>20</sup> ISO Alpha-2 country codes.

<b>Flag State (non-EU)<sup>20</sup></b>	<b>2020</b>	<b>2021</b>
<i>TN</i>	15	49
<i>VN</i>	0	7
<b>Total</b>	<b>347</b>	<b>316</b>

4.2. From the number above, how many recognised RFMO catch certificates (Annex V to Commission Regulation 1010/2009) accompanied consignments destined to your country? *Please detail per RFMO certificate and year.*

<b>RFMO document</b>	<b>2020</b>	<b>2021</b>
<i>ICCAT (electronic)-bluefin tuna catch document</i>	0	7
<i>Dissostichus spp. (CCAMLR)</i>	0	0
<i>CCSBT CDS</i>	0	0
<b>Total</b>	<b>0</b>	<b>7</b>

4.3. How many catch certificates from EU Member States (including from your country) were presented to the authorities of your country from 1 January 2020 until 31 December 2021?

<b>Flag State (EU)</b>	<b>2020</b>	<b>2021</b>
<i>FR</i>	7	4
<i>HR</i>	391	785
<i>IT</i>	0	1
<i>ES</i>	94	22
<i>GB</i>	2	0
<b>Total</b>	<b>494</b>	<b>812</b>

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.*

<b>RFMO document</b>	<b>2020</b>	<b>2021</b>
<i>ICCAT (electronic)-bluefin tuna catch document</i>	0	0
<i>Dissostichus spp. (CCAMLR)</i>	0	0
<i>CCSBT CDS</i>	0	0
<b>Total</b>	<b>0</b>	<b>0</b>

4.5. How many processing statements (Article 14.2) were submitted to the authorities of your country from 1 January 2020 until 31 December 2021? Please provide details per year and per processing country.

Processing non-EU State <sup>21</sup>	2020	2021
<i>AL</i>	20	56
<i>BA</i>	65	71
<i>EC</i>	18	9
<i>CN</i>	32	14
<i>MA</i>	0	3
<i>PG</i>	17	0
<i>XS</i>	2	0
<i>TH</i>	8	0
<i>TN</i>	1	0
<i>TR</i>	2	3
<i>Total</i>	<i>165</i>	<i>156</i>

4.6. Please indicate if you retain and record the information contained in processing statements referring to the corresponding catch certificates (quantity management):

*Yes*                       *No*

*Not applicable (e.g. in the absence of processing statements received from non-EU countries in 2020-2021)*

4.7. Do you have cases where third country fishery products arriving to your country (entry point) were destined to another Member State? [Article 19.1 of the IUU Regulation]

*Yes*                       *No*

If yes, please indicate the number consignments meant for transit:

In 2020: .....

In 2021: .....

4.8. Has your country received requests to authorise APEOs<sup>22</sup> in 2020-2021?

*Yes*                       *No*

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

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4.9. Has your country adopted administrative rules referring to the management and control of APEOs in 2020-2021?

*Yes*                       *No*

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

<sup>21</sup> ISO Alpha-2 country codes.

<sup>22</sup> Approved Economic Operators – IUU Regulation, Article 16 and Implementing Regulation (EC) 1010/2009, Chapter II

If yes, please detail:

.....

4.10. Has your country validated re-export certificates for products imported from 1 January 2020 until 31 December 2021?

*Yes*                       *No*

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

<b>Destination country (non-EU)<sup>23</sup></b>	<b>2020</b>	<b>2021</b>
<i>PE</i>	0	1
Total	0	1

4.11. 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 2020-2021)*

If yes, please detail:

It can be monitored through the Customs IT system in the process of customs clearance procedure. IT tools are established as risk profiles (different criteria) to monitor the catch certificates in the importation or re-exportation in the process of customs clearance procedure by MFCA. The declarant (importer/exporter or forwarder agent) in the process of customs clearance procedure (import/export) have to fulfil TARIC code (C673) for catch certificate and his number or code for other species of fisheries products (e.g. ICCAT BCT/C047; ICCAT re-export C041 etc.) or that the declared goods are not concerned by IUU Regulation in box 44 of customs declarations. In this case is possible to monitor the status of catch certificate by MFCA.

4.12. 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*

Not applicable. In accordance with the provisions of the Customs Law, post audit controls are carried out of import goods.

4.13. 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*

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<sup>23</sup> ISO Alpha-2 country codes.

**Section 5. Information on catch certification scheme for exportation<sup>24</sup>**

5.1. Have you 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 2020-2021)*

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

Croatia is well organised and committed concerning the catch certification scheme. The overall catch documentation scheme also integrates regional fisheries management organization catch documents, which shall be accepted as catch certificates in respect of the fishery products from species to which such catch documentation schemes apply.

Products shall only be exported when accompanied by a Catch Certificate which contains information validated by the Croatian competent authority (Ministry of Agriculture, Directorate of Fisheries) of its own fishing vessels, in line with its duty under international law to ensure that fishing vessels flying Croatian flag comply with international rules.

The system of certification in the Republic of Croatia is based on crosschecking data from Fishing Licence Register vs. Catch documentation vs. Sale notes vs. Catch certificates.

Catch certificate will be created and validated by the competent Authority only if all data have been checked and verified.

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5.2. Have you validated catch certificates for exportation in 2020-2021 in accordance with Article 15?

*Yes*                                       *No*

If yes, how many catch certificates did you validate from 1 January 2020 to 31 December 2021? Please provide details per requesting third country/country of destination in the following table:

Destination State <sup>25, 26</sup>	Year	
	2020	2021
<i>AL</i>	2243	2386
<i>BG</i>	187	423
<i>BA</i>	812	897
<i>CA</i>	4	45
<i>CH</i>	12	9
<i>CN</i>	4	
<i>CZ</i>	1	
<i>ES</i>	2685	2466
<i>FR</i>	122	325
<i>GR</i>	302	784

<sup>24</sup> Section to be filled-in by flag Member States.

<sup>25</sup> ISO Alpha-2 country codes.

<sup>26</sup> It is recommended that the validation of a catch certificate for exportation takes place when the country of destination is known.

Destination State <sup>25, 26</sup>	Year	
	2020	2021
<i>IL</i>		5
<i>IT</i>	1878	1916
<i>MT</i>		28
<i>ME</i>	105	119
<i>PT</i>	458	464
<i>RS</i>	493	310
<i>SR</i>	1	
<i>SI</i>	23	11
<i>TN</i>	35	16
<i>UA</i>	32	27
Total	9397	10231

5.3. Have you established any IT tool to monitor the catch certificates you have validated for fish caught by your own vessels?

*Yes*                       *No*

5.4. Do you monitor that the catches for which you have validated catch certificates actually leave the EU?

*Yes*                       *No*

*Not applicable (e.g. in the absence of validation of catch certificates for exportation in 2020-2021)*

5.5. Has your country refused the validation of a catch certificate between 1 January 2020 and 31 December 2021?

*Yes*                       *No*

*Not applicable (e.g. in the absence of request for validation of catch certificates for exportation in 2020-2021)*

If yes, please detail:

*Number (per year):* .....

*Reason:* .....

*Follow-up:* .....

**Section 6. Information on checks and verifications of catch certificates and related documents according to Articles 16.1 and 17.1-5 of IUU Regulation<sup>27</sup>**

6.1. Has your country established a procedure for checks of catch certificates in accordance with Article 16.1?

*Yes*                       *No*

<sup>27</sup> Section to be filled-in by all Member States



If yes, please detail: .....

All catch certificates are checked with notification of Flag State in CIRCABC. Procedures are checked the name of competent authority, seal and signature from the responsible official.

6.2. Do you check all catch certificates in light of the information provided in the notifications received from the flag States in accordance with Article 20 (i.e. if all required data are provided in a catch certificate and if these data correspond to the notification from the flag State in question)?

Yes  No

If no, please provide the following:

- risks identified in 2020 and 2021 on the basis of risk management used (i.e. for risk-based targeting of catch certificates to be checked); and
- number of catch certificates checked, respectively:

Please fill-in the table below:

Flag State (EU or non-EU) <sup>28</sup>	2020		2021	
	Overall number of catch certificates received	Number of catch certificates <u>checked</u>	Overall number of catch certificates received	Number of catch certificates <u>checked</u>
Country 1				
Country 2				
...				
Country x				
Total				

What do you check in catch certificates in accordance with Article 16.1? Please describe:

.....

We check the name of competent authority, seal and signature from the responsible official.

6.3. 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: .....

All documents are checked during verification.

6.4. Do you verify all catch certificates linked to consignments of fishery products intended for importation into the EU or do you verify only part of the catch certificates by applying (or not) risk management?

<sup>28</sup> ISO Alpha-2 country codes.

- All*
 *Only part by applying risk management*  
 *Only part without applying risk management*
 *No verifications*

6.5. If you apply risk management to verifications (Article 17.3), do you use Union (Article 31 of Commission Regulation (EC) 1010/2009) or national criteria for identification of risks on which verifications shall focus?

- Union criteria*
 *National criteria*

If you apply Union criteria, please detail the methodology used (and which criteria are used always/regularly, often, occasionally, never): .....

We always use Union criteria in accordance with EFCA rules and IUU legislation.

.....

If you apply national criteria, please detail them and the methodology used: .....

We use criteria according to previous document verifications, on experience regarding import of individual goods and on the individual importers as well. Also, we use routes and available databases for the movement of containers or consignments.

6.6. Please provide information on the risks identified in 2020 and 2021 respectively (Article 32 of Commission Regulation (EC) 1010/2009) on the basis of the criteria used. Please also provide information on whether all consignments identified as risky have been covered by verifications. If this is not the case, please specify the percentage of consignments identified as risky that have been covered by verifications and the reasons of such situation.

.....

All information from customs declarations undergo a risk analysis system. All documents are checked during verification.

6.7. How many catch certificates have been verified by your administration from 1 January 2020 until 31 December 2021? Please specify, separately for each year:

Flag State (EU or non-EU) <sup>29</sup>	2020		2021	
	Overall number of catch certificates received	Number of catch certificates <u>verified</u>	Overall number of catch certificates received	Number of catch certificates <u>verified</u>
<i>Country 1</i>		All CC & all ANNEX IV/ See Section 4.1. and 4.5 List of countries		All CC & all ANNEX IV/ See Section 4.1. and 4.5 List of countries
<i>Country 2</i>				
...				
<i>Country x</i>				

<sup>29</sup> ISO Alpha-2 country codes.

Flag State (EU or non-EU) <sup>29</sup>	2020		2021	
	Overall number of catch certificates received	Number of catch certificates <u>verified</u>	Overall number of catch certificates received	Number of catch certificates <u>verified</u>
Total				

Please reply to the following questions:

- How many catch certificates have you verified in the context of the application of Article 17.4? We have verified 6 catch certificates.
- How many catch certificates have you verified on the basis of risk identified in accordance with Article 17.3?

All catch certificates have been verified (see Section 4.1.).

- How many catch certificates have been verified at random (Article 17.5)?

6.8. Does your country also physically verify the consignments?

- Yes                       No

If yes, please detail:

The consignment will be physically inspected in accordance with the results of the risk analysis system. Also, the consignment will be physically inspected in the case of reasonable suspicion which was detected in documentary control of catch certificate or Annex IV processing statement.

*Number (per year) and percentage in relation to all verifications made:*

.....

*Method of selection:* .....

## Section 7. Assistance requests to third countries<sup>30</sup>

7.1. Have you sent assistance requests for verifications under Article 17.6 of the IUU Regulation to other flag States' authorities in 2020-2021?

- Yes                       No

If yes, how many assistance requests for verifications? *Note: please provide separate data for 2020 and 2021:*

Flag States <sup>31</sup>	No of assistance requests for verifications 2020	Justification	No of assistance requests for verifications 2021	Justification
AR	3	Art. 17.4	1	Art. 17.4
ZA	2	Art. 17.4	0	
CN	0		1	Art. 17.4

<sup>30</sup> Section to be filled-in by all Member States

<sup>31</sup> ISO Alpha-2 country codes.

<b>Flag States<sup>31</sup></b>	<b>No of assistance requests for verifications 2020</b>	<b>Justification</b>	<b>No of assistance requests for verifications 2021</b>	<b>Justification</b>
<i>MA</i>	3	Art. 17.4	2	Art. 17.4
<i>NI</i>	2	Art. 17.4	0	
<i>RU</i>	2	Art. 17.4	1	Art. 17.4
US	1	Art. 17.4		
Total	13		5	

7.2. How many assistance requests for verification were not replied to by the other flag States' authorities within the deadline provided in Article 17.6 of the IUU Regulation? In these cases, do you send a reminder to the authorities of the country in question? Could you please specify when the assistance request, despite reminder(s), remained unanswered? What measures have you taken in that case (i.e. denial of importation) [Please provide separate data for 2020 and 2021]

2020 .....0

2021 .....0

7.3. Was the quality of the answers provided overall sufficient to satisfy the assistance request? If no, please explain why the quality was not sufficient, and the measures you have taken in such case(s).

The answers were overall sufficient.

7.4. Have you sent assistance requests to other countries than the flag State? If yes, please specify the number, the reasons and the countries concerned, and the quality of the feedback provided.

We have sent verification request to Morocco because we had doubts on issued Moroccan Processing Statement. The answer was satisfactory.

7.5. Have you been using IT systems developed by third countries allowing for a full or partial verification of catch certificates and how many verifications were made through these systems (approximately)?

Depending on the third country from which the goods are imported. E.g. if the import is from USA then we use their database (NOAA).

**Section 8. Information on refusal of importations (Article 18 of the IUU Regulation)<sup>32</sup>**

8.1. Has your country refused any imports from 1 January 2020 until 31 December 2021? *Note: please only consider refusals based on the IUU Regulation, not for other reasons e.g. Food Safety legislation, Customs legislation, etc.*

Yes  No

If yes, please provide details in the table below:

Reason for refusal of importation	2020		2021	
	Flag State <sup>33</sup>	No.	Flag State <sup>34</sup>	No.
Non-submission of a catch certificate for products to be imported.				
The products intended for importation are not the same as those mentioned in the catch certificate.				
The catch certificate is not validated by the notified public authority of the flag State				
The catch certificate does not indicate all the required information.				
The importer is not in a position to prove that the fishery products comply with the conditions of Article 14.1 or 2.				
A fishing vessel figuring on the catch certificate as vessel of origin of the catches is included in the EU 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 in relation to the consignments refused (Article 18.3)?

.....

<sup>32</sup> Section to be filled-in by all Member States

<sup>33</sup> ISO Alpha-2 country codes.

<sup>34</sup> ISO Alpha-2 country codes.

.....

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

Yes  No

If yes, please detail: .....

**Section 9. Information on trade flows<sup>35</sup>**

Please provide information, based on your statistical data, concerning any important change of trade patterns in imports of fishery products into your country since the last reporting period covering 2018-2019: .....

**Section 10. Information on mutual assistance<sup>36</sup>**

10.1. Since the last reporting exercise covering the period 2018-2019, how many mutual assistance messages of the Commission (DG MARE B4) has your country replied to?<sup>37</sup>

*Please provide separate data for 2020 and 2021 (if any)*

2020.....4 (Ecuador, China, Ghana, Philippines)

2021.....3 (Ivory Coast, Panama, Sri Lanka)

10.2. Since the last reporting exercise covering the period 2018-2019, has your country sent any mutual assistance message to the Commission/other Member States?

*Please provide separate data for 2020 and 2021 (if any)*

2020.....0

2021.....2 (Slovenia, Spain)

<sup>35</sup> Section to be filled-in by all Member States

<sup>36</sup> Section to be filled-in by all Member States

<sup>37</sup> Please provide the number of all replies, regardless of their content i.e. including replies which, for example, only confirmed that the request was not relevant for your country. Then please specify the number of cases where you took action and describe the actions taken.

**Section 11. Information on cooperation with third countries<sup>38</sup>**

Apart from assistance requests in the context of verifications of catch certificates and accompanying documents foreseen under the catch certification scheme (Article 17.6), has your country had other exchanges with third countries on issues related to the implementation of the IUU Regulation, such as follow-up of cases concerning nationals, trade flows, operators, private fishing licencing, re-flagging operations, investigations of cases of IUU fishing (Article 42) and investigations of criminal activities associated to IUU fishing?

*Yes*                                       *No*

If yes, please detail (please provide separate data for 2020 and 2021, if any).

.....

**Section 12. Information on nationals<sup>39</sup>**

For the reporting period in question, a separate call for information on nationals supporting/engaging in IUU fishing activities has been sent to the Single Liaison Offices of Member States and EFCA as part of a study on the implementation of Articles 39 and 40 of the IUU Regulation. As a result, this section of the biennial reports will be replaced for this reporting period by the more specialised call for data for the abovementioned study.

Member States are kindly asked to provide their input to the external consultant in charge of the study. The Commission will evaluate the responses of Member States and include them in its overall assessment of the biennial reports.

[Information on implementation and enforcement of Article 39 and 40 of the IUU Regulation has been sent to the OIKON doo in March 2022. to be transmitted to Milieu Consulting SRL - Law & Policy Consulting as Contracting party of DG MARE for this question.](#)

**Section 13. Infractions (Chapter IX of the IUU Regulation) and Sightings (Chapter X of the IUU Regulation)<sup>40</sup>**

13.1. Has your country detected serious infractions as defined in Article 42 of the IUU Regulation from 1 January 2020 until 31 December 2021?

*Yes*                                       *No*

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

<sup>38</sup> Section to be filled-in by all Member States

<sup>39</sup> Section to be filled-in by all Member States

<sup>40</sup> Section to be filled-in by all Member States

Flag State of the vessel or nationality of the operator (EU and non-EU) <sup>41</sup>	Serious infringements detected in 2020:			Serious infringements detected in 2021:		
	Number	Nature	Sanctions applied	Number	Nature	Sanctions applied
<i>ITL</i>	10	fishing license	unknown	3	fishing license	unknown
<i>SLO</i>	332	fishing license	unknown	187	fishing license	unknown
<i>Total</i>	342			190		

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

*Yes*                       *No*

If yes, please detail: .....

The Marine Fisheries Act (further in text: the MFA), Official Gazette No. 62/17, 14/19 (Zakon o morskom ribarstvu) fully adopts the IUU Regulation, and according to Article 60 and 70 of the same act, if a violation is found the officers are authorized to:

- order the elimination of the identified deficiencies by a decision and set an appropriate deadline for their elimination,
- prohibit the placing on the market or order the withdrawal from the market of fish and other marine organisms,
- order a precautionary measure of temporary suspension of activities in accordance with a special regulation governing misdemeanors,,
- temporarily confiscate fishery products, fishing gear and equipment and other items with which the misdemeanor was committed,
- put a seal on the catch, vessel, tools, equipment, facility and means of transport and / or container.

Have you used criminal sanctions? If yes, please specify if in addition to or in replacement of administrative sanctions: .....

Pursuant to the Article 77 of the MFA the following sanctions are prescribed:

Pursuant to the Article 44 (1) of Council Regulation (EC) No 1005/2008 a fine in the amount of HRK 15,000.00 to HRK 50,000.00 (app 2000 to 6500 EUR) shall be imposed on a legal entity for a misdemeanour if:

1. falsifies or conceals marks, identity or registration in accordance with the Article 42 (1) (a) and the Article 3 (1) (f) of Council Regulation (EC) No 1005/2008
2. conceals, inadmissibly alters or destroys evidence related to the investigation in accordance with the Article 42 (1) (a) and the Article 3 (1) (g) of Council Regulation (EC) No 1005/2008
3. retain on board, tranship or disembark fish below the measure in breach of the regulations in force, in accordance with the Article 42 (1) (a) and the Article 3 (1) and (i) of Council Regulation (EC) No. 1005/2008

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<sup>41</sup> ISO Alpha-2 country codes.



4. carries out fishing activities in the area of a regional fisheries management organization in a manner inconsistent with or in violation of the conservation and resource management measures adopted by that organization in accordance with the Article 42 (1) (a) and the Article 3 (1) (k) of Council Regulation (EC) No 1005/2008
5. fishes without a valid fishing privilege issued by the Republic of Croatia or the relevant coastal State in accordance with the Article 42 (1) (a) and the Article 3 (1) (a) of Council Regulation (EC) No 1005/2008
6. carries out fishing activities without a permit or fishing license issued by the Republic of Croatia or the relevant coastal State in accordance with the Article 42 (1) (a) and the Article 3 (1) (a) of Council Regulation (EC) No 1005/2008
7. carries out targeted fishing for livestock subject to a moratorium or prohibition of fishing in accordance with the Article 42 (1) (a) and the Article 3 (1) (d) of Council Regulation (EC) No 1005/2008
8. prevent officials from performing their duties in verifying compliance with applicable conservation and resource management measures or prevent observers from performing their duties in observing compliance with applicable Union rules in accordance with the Article 42 (1) (a) and the Article 3 (3). 1. point (h) of Council Regulation (EC) No 1005/2008
9. tranship catches to fishing vessels found to be engaged in IUU fishing within the meaning of Council Regulation (EC) 1005/2008, in particular those included in the Union IUU vessel list or in the IUU vessel list of the Regional Fisheries Management Organization, participating in joint fishing operations with such vessels, assisting such vessels or supplying such vessels in accordance with the Article 42 (1) (a) and the Article 3 (1) (j) of Council Regulation (EC) No. 1005/2008
10. uses a non-national fishing vessel and which is therefore, under international law, a non-national vessel in accordance with the Article 42 (1) (a) and the Article 3 (1) (l) of Council Regulation no. 1005/2008

For the misdemeanour referred to in this Article, the responsible person in the legal entity and the responsible person in conducting commercial fishing shall be fined from HRK 7,000.00 to HRK 15,000.00 (app 900 to 2000 EUR).

A fine of HRK 10,000.00 to 15,000.00 (app 1300 to 2000 EUR) for the misdemeanour referred to in this Article shall be imposed on a natural person who is a craftsman.

A natural person shall be fined from HRK 10,000.00 to HRK 15,000.00 (app 1300 to 2000 EUR) for the misdemeanour referred to in this Article.

Pursuant to the Article 78 of the MFA:

(1) Pursuant to the Article 44 (1) of Council Regulation (EC) No 1005/2008 a fine in the amount of HRK 5,000.00 to 30,000.00 (app 650 to 4000 EUR) shall be imposed on a legal entity for a misdemeanour if:

1. fails to comply with the obligation to record and transmit catch data and catch-related data, including data to be transmitted via satellite-based vessel monitoring system in accordance with the Article 42 (1) (a) and the Article 3 (1) point (b) of Council Regulation (EC) No. 1005/2008
2. uses a prohibited fishing gear or gear which does not comply with the requirements laid down in Union legislation in accordance with the Article 42 (1) (a) and the Article 3 (1) (e) of Council Regulation (EC) No 1005/2008
3. fishes in a no-fishing area or during a no-quota period, without a quota or after a quota has been exhausted, or at illegal depths in accordance with the Article 42 (1) (a) and the Article 3 (1) (c) of Regulation Council (EC) No 1005/2008.

For the misdemeanour referred to in this Article, the responsible person in the legal entity and the responsible person in conducting commercial fishing shall be fined from HRK 3000.00 to 10,000.00 (app 400 to 1300 EUR).

A fine of HRK 2,000.00 to 4,000.00 (app 250 to 500 EUR) for the misdemeanour referred to in this Article shall be imposed on a natural person who is a craftsman.

A fine of HRK 2,000.00 to 4,000.00 (app 250 to 500 EUR) for the misdemeanour referred to in this Article shall be imposed on a natural person.

Pursuant to the Article 84 of the MFA:

A fine in the amount of HRK 20,000.00 to HRK 50,000.00 (app 2500 to 6500 EUR) shall be imposed on a legal person for a misdemeanour if:

3. access ports and conduct unloading or transshipment operations from third country fishing vessels in ports not authorized for such operations contrary to the Article 5 (2) of Council Regulation (EC) No 1005/2008

4. fails to comply with the Article 14 (1) of Council Regulation (EC) No 1234/2007 when importing fishery products. 1005/2008

6. imports fishery products caught by IUU fishing vessels contrary to the Article 37 (9) of Council Regulation (EC) No 1005/2008

7. exports fishery products for processing with IUU fishing vessels contrary to the Article 37 (10) of Council Regulation (EC) No 1005/2008

8. imports into the territory of the Republic of Croatia fishery products caught by fishing vessels flying the flag of third countries which do not cooperate contrary to the Article 38 (1) of Council Regulation (EC) No 1005/2008

For the misdemeanour referred to this Article, the responsible person in the legal entity and the responsible person in conducting commercial fishing shall be fined from HRK 5,000.00 to 40,000.00 (app 650 to 5300 EUR).

A fine of HRK 5,000.00 to 30,000.00 (app 650 to 4000 EUR) for the misdemeanour referred to in this Article shall be imposed on a natural person who is a craftsman.

A natural person shall be fined from HRK 5,000.00 to HRK 30,000.00 (app 650 to 4000 EUR) for the misdemeanour referred to in this Article.

Pursuant to the Article 33 of the Misdemeanour Act<sup>42</sup> for misdemeanours for which a legally binding act of the European Union, such as IUU Regulation, determines the range of the fine or the general minimum or general maximum of the fine or the method of calculating the fine, pursuant to Croatian laws, such as the MFA, the perpetrator may be prescribed and imposed a fine in the amount calculated without the application of the amount limits prescribed in the Misdemeanour Act.

13.3. Has your country issued sighting reports from 1 January 2020 until 31 December 2021?

*Yes*

*No*

If yes, how many sighting reports were issued by your country from 1 January 2020 until 31 December 2021?

<b>Flag State of the sighted vessel (EU and non-EU)<sup>43</sup></b>	<b>No of sighting reports issued in 2020</b>	<b>No of sighting reports issued in 2021</b>
<i>Country 1</i>		
<i>Country 2</i>		
...		

<sup>42</sup> <https://www.zakon.hr/z/52/Prekr%C5%A1ajni-zakon>

<sup>43</sup> ISO Alpha-2 country codes.

Flag State of the sighted vessel (EU and non-EU) <sup>43</sup>	No of sighting reports issued in 2020	No of sighting reports issued in 2021
<i>Country x</i>		
<i>Total</i>		

13.4. Since the last reporting exercise covering the period 2018-2019, has your country received any sighting reports for vessels flying its own flag from other competent authorities?

*Yes*                       *No*

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

.....

**Section 14.    General**

14.1. During the reporting period 2020-2021, what have been the main difficulties that your country has encountered in implementing the IUU Regulation, including the catch certification scheme?

Inability to gain access to the CC certified database from Russia. Several access request had been sent but with no feedback from Russian colleagues.

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**Section 15.    Any other comment**

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