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

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

Member State:	Latvia
Organisation:	Ministry of Agriculture
Date:	30 April, 2022
Name, position and contact details of responsible official:	Fisheries Department @zm.gov.lv

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

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)

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):

State Environmental Service; Fisheries Control Department

Section 1. Information on legal framework¹

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.

Ministry of Agriculture (hereafter - MoA) would like to note that digital fisheries products traceability system in Latvia is established from 1 June 2018. The fisheries products traceability module was integrated into the MoA information system "Latvian Fisheries Integrated Control and Information System" (hereafter - LFICIS). Due to mentioned fact, catch certificates for fisheries products export should also be submitted through the system. The legal framework for the system laid down in the regulation No 94 "Regulations Regarding the Control of Fish Landing and Inspection of Fish Marketing and Transport Facilities, Warehouses and Processing Premises" (entered into force on 23 February 2018).

https://likumi.lv/ta/en/en/id/297288-regulations-regarding-the-control-of-fish-landingand-inspection-of-fish-marketing-and-transport-facilities-warehouses-and-processingpremises

In this context submission of catch certificate for products export is provided using MoA information system LFICIS.

<u>https://lzikis.zm.gov.lv/Account/LogOn?lang=en&ReturnUrl=%2F</u> (MoA points out that the European Commission (Commission) has access to the secure LFICIS website in terms of Article 116 of the Control Regulation).

Also, MoA published user's manual on how to complete and submit a catch certificate for products export using MoA information system LFICIS in the public part of the official website:

https://www.zm.gov.lv/public/files/CMS Static Page Doc/00/00/01/40/74/LZIKIS.HELP PUB Portals.Traceability.pdf

Fishery Law also could be mentioned as the legal act reflecting Articles 39 and 90 of the IUU Regulation.

https://likumi.lv/ta/id/34871-zvejniecibas-likums (available in Latvian and in English, but the last amendments after 16.09.2021.are not included in the English translation). According to the Fishery Law (Paragraph 1 of the Article 14) legal and natural persons who are engaged in commercial fishing have the obligation to provide information regarding catch in accordance with such procedures and within such time periods as are stipulated in fishing rights lease agreements and prescribed in industrial (*the meaning is commercial*) fishing regulations. If a ship registered in the third country is owned by a legal or natural person and such person is engaged in fishing or he or she owns the shares (stocks) of such commercial company which owns a ship registered in the third country and such commercial company is engaged in fishing, the above mentioned person, and also an employed person who is performing activities related to fisheries on the ship registered in the third country, shall inform the State Environmental Service thereof

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

within a month after commencement of fishing activities of the ship or employment relations.

Note: In the context of the Article 39 and 40 of the IUU Regulation MoA would like to draw the Commission attention to the questionnaire filled by Latvia in the frame of the study on the legislative framework and enforcement system of Member States for infringements regarding obligations and sanctions to nationals for infringements to the rules arising from the IUU Regulation.

At the same time regular updates to the MoA`s website section on preventing, deterring, and eliminating IUU fishing are made:

https://www.zm.gov.lv/zivsaimnieciba/statiskas-lapas/nnn-zvejas-apkarosana-unizskausana?nid=2603#jump (the last additions that were made are related to fishery products export to the UK, the following topics were published: Exports of fishery products processed in Latvia to the UK and Completion of storage documents for exports of fishery products to the UK, information available in Latvian).

Due to improvement of the national regulations mentioned above the interinstitutional agreement "On Cooperation and Information Circulation in Control of Catch Certificates and Re-Export Certificates for Fishery Products" between the MoA, State Environmental Service (hereafter- SES) and State Revenue Service (hereafter- SRS) was amended on October 15, 2018. SRS National Customs Board accordingly evaluated the guidance on changes in the IUU fishing control (based on Latvian law and SRS National Customs Boards internal regulation, however this is a limited information, thereby its further distribution is prohibited).

Section 2. Information on administrative organisation²

- 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);

According to the Council Regulation 1005/2008 Article 6, third countries vessels inform the competent authority - SES on intend to land the products in relevant designated port of Latvia – Rīga, Ventspils (designated in National Rules of the Cabinet of 02.05.2007. No 296 "Regulations regarding Commercial Fishing in Territorial Waters and Economic Zone Waters"). This information is received in the SES Central office, verified by checking information and further permission or rejection for vessel entry into port is provided. In the port the physical verification of the landing, based on decision made by the SES Central office is performed by the local quarter of SES located in the designated port.

Based on the Article 9 of the IUU regulation Latvia ensures inspections in their designated ports of at least 5 % of landing and transhipment operations by third country fishing vessels each year. (More details on inspections of third country vessels in Latvian ports are available in the response to the point 3.3. of this report)

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

- catch certification scheme (Chapter III).

More details on catch certification scheme please find in the further clarifications to this point (subpoint (a) and (b) and the cooperation schemes)

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:

a) vertical co-operation (between local/regional authorities and head-quarter);

MoA is the authority in charge for the validation of the catch certificates for the Latvian fishing vessels in case of fisheries products export. During the validation process each catch certificate is examined for a variety of criteria - does the potential exporter or respective fishing company hold the valid licence and quota for relevant species, % of quota exhaustion, logbooks entries etc. In case where there are no problems, the catch certificate is validated.

Regarding catch certificates issued by the third countries - SES Fisheries Control Department (Central office) is the authority responsible for the validation of the catch certificates to allow the import into or re-export of the fisheries product via Latvia. The catch certificate is verified by obtaining necessary information - is the catch obtained by the vessel included in the IUU vessels list, crosschecked with the information submitted within the mutual assistance system, etc.

Internal cooperation between the Central office and local quarters of SES is needed only where physical checks for fishing vessels flying the flag of third countries is required. According to the Council Regulation 1005/2008 Article 6, third countries vessels inform the competent authority - SES on intend to land the products in relevant designated port of Latvia. This information is received in the SES Central office, verified by checking information and further permission or rejection for vessel entry into port is provided. In the port the physical verification of the landing, based on decision made by the SES Central office is performed by the local quarter of SES located in the designated port.

Co-operation among the structures of the SRS National Customs Board, involved in the implementation of the IUU Regulation, is described in the SRS National Customs Board internal guidance 'On changes in the IUU fishing control'.

Co-operation among the respective structures of the SRS Nationals Customs Board when dealing with the implementation of the IUU Regulation should be mentioned as follows:

Customs Clearance Process Unit of Customs Clearance Process Management Division – develops guidance etc. for customs officials and explanations for customs clients as well, performs co-operation with other structures in Customs Department, as well as with other institutions in Latvia (MoA, SES) responsible for implementation of the IUU Regulation,

Import Custom Control Point of Riga Custom Control Points' Division – involved in drawing up import customs procedure, incl. control of documents (also catch certificates) concerning the respective consignment,

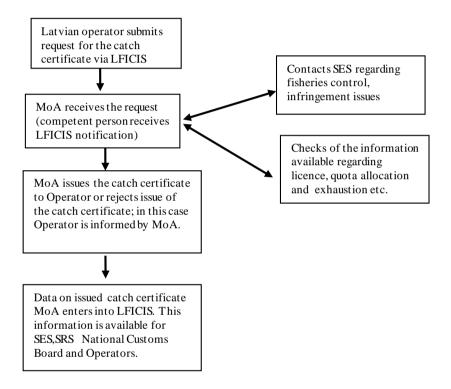
Risk Management Division – performs risk management regarding customs matters.

b) 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.).

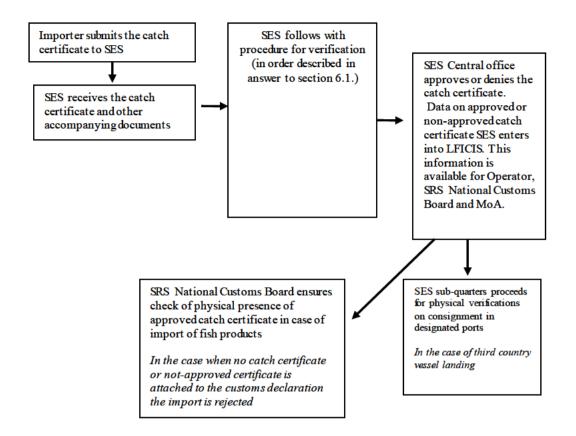
The interinstitutional cooperation has been set in the Rules of the Cabinet as well as in the trilateral agreement between the MoA, SRS Nationals Customs Board and SES.

To improve cooperation and control efficiency the SRS National Customs Board in 2015 was granted access to MoA information system LFICIS. This allows SRS to see in the LFICIS, and check import catch certificate validated by SES.

Scheme of cooperation in the case of export of fisheries products from Latvian vessels is as follows:



Scheme of cooperation in the case of import/ re-export of fisheries products from third countries:



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 the import catch certificate verification (formalities and procedures, as well as physical control and verification) - 3 SES officials and 6 SRS National Customs Board officials are involved.

In the case of physical control of third country vessel landing in the designated port at least one more official should be added to the import control number. In this case total numbers for landing control are 4 SES officials.

• for validation of catch certificates and re-export certificates in accordance with Articles 15.2 and 21.3.

For validation of catch certificates in the case of export of catches made by fishing vessels flying the flag of Latvia - 0,1 MoA official is involved.

For the re-export catch certificate verification (formalities and procedures, as well as physical control and verification) - 1,2 SES officials and 1 SRS National Customs Board official are involved.

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

 \boxtimes Yes \Box No

If yes, please provide a list of such zones/ports.

- Rīga
- Ventspils

Section 3. Information on access to ports, including for direct landings and transhipments of fishery products, by third country fishing vessels⁴ (and information on related port inspections and confirmed infringements)⁵

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 Regulation⁶)?

 $\boxtimes Yes$ \Box 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

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?⁷

Based on the information provided by the Harbour Master of the Riga port authorisation to access Riga Free Port for repair/maintenance/supply was granted to 6 third country REF vessels in 2020, and to 8 REF vessels in 2021.

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?

Please fill-in the table below (2020):

Inspections of third country vessels in Member States ports (2020)

 $^{^{3}\} https://ec.europa.eu/taxation_customs/business/customs-procedures/what-is-importation/free-zones_en$

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 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.

Type of	Vessels	Figures (2020)	Flag of the third country vessel(s) ⁸)8		
operation	v 055015			NO	PA	BS		Total
	Neg EU	Number of landings		3	1	1		5
sgn	Non-EU vessels	Number of inspections		1	1	1		3
Landings	using MS designat	% of inspections / landings		33.33 %	100%	100%		60%
	ed ports	Number of infringements		0	0	0		0
ints	Study Won-EU vessels using MS designat ed ports	Number of transhipments in ports		-	-	-		-
ipme		Number of inspections		-	-	-		-
Transł		% of inspections / transhipments		-	-	-		-
E	ca ports	Number of infringements		-	-	-		-

⁸ ISO Alpha-2 country codes.

Please fill-in the table below (2021):

	Inspections of third country vessels in Member States ports (2021)							
Type of			Flag of the third country vessel(s) ⁹) ⁹		
operation	Vessels	Figures (2021)		NO				Total
	New FIL	Number of landings		1				1
So Non-EU vessels using MS designated ports	vessels	Number of inspections		1				1
	% of inspections / landings		100%				100%	
	ports	Number of infringements		0				0
lts	N FU	Number of transhipments in	-	-				-
Transhipments	Non-EU vessels using MS	ports Number of inspections	-	-				-
ransk	designated ports		-	-				-
Τ	_	Number of infringements	-	-				-

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 ¹⁰	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 ¹¹	Name of the third country fishing vessel	Type of infringements	Measures taken
FS1	-	-	-

⁹ ISO Alpha-2 country codes.

¹⁰ ISO Alpha-2 country codes.

¹¹ 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):

Landing	Landings in 2020		gs in 2021
Flag of the third country vessel ¹²	Landed quantities by species	Flag of the third country vessel ¹³	Landed quantities by species
РА	Species *: 965,04 t	NO	Species**: HER FIL 159, 368 t HER TLD 472, 983 t Total: 632, 351 t
NO	Species *: 598,52 t Species *: 1075,88 t Species *: 2782,49 t Total: 4 456,89 t		
BS	Species *: 1839,67 t		

Notes:

* The total quantities landed are indicated. Latvian competent authorities and its databases does not collect statistical data of landed quantities by species, therefore, such data for Latvia are not available. Notifications submitted to the port authority has general data only (for example category ''Frozen fish'' without any explanation on the species.

** In this case the weight of species is available because ALL fishery products were landed in Latvia, as well as an inspection of this REF vessel carried out by the SES inspectors. Thus, data on the landed quantities by species are available.

¹² ISO Alpha-2 country codes.

¹³ ISO Alpha-2 country codes.

Please fill-in the table below (transhipments):

Transhipments in 2020		Transhipm	ents in 2021
Flag of the third country vessel ¹⁴	Transhipped quantities by species	Flag of the third country vessel ¹⁵	Transhipped quantities by species
-	-	-	-
-	-	-	-

Note: There has been no transhipment in 2020 and 2021.

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?

 \Box Yes \boxtimes 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?

 \Box Yes \boxtimes 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]

 \Box Yes $\boxtimes No^*$

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

In 2020:

In 2021:

<u>*Note: Latvian competent authorities and its databases does not collect statistical data of fishing vessel landing in transit, therefore, such data for Latvia are not available.</u>

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]?

¹⁴ ISO Alpha-2 country codes.

¹⁵ ISO Alpha-2 country codes.

□ *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:

There are the risk assessment criteria elaborated by SES for the port inspections to control the Latvian vessels as well as EU Member State vessels landings. The criteria are set considering landing quantities of species under the recovery plan, proportion of the fleet using this port etc., as well behaviour of the certain vessels (penalty points, included/not included in IUU "blacklist" etc.). This risk assessment has been included in LFICIS, therefore surveillance of the riskiest areas has become more efficient.

Section 4. Information on catch certification scheme for <u>importation</u> for the purpose of the IUU Regulation¹⁶

4.1. How many <u>catch certificates</u>¹⁷ 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.¹⁸ 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.

Flag State (non-EU) ¹⁹	2020	2021
US	11	11
AR	8	3
GB*	0	55
KR	8	8
EC	2	4
FO	70	53
РН	3	2
NZ	1	0
MX	1	0
ID	0	3
IS	82	76
СА	8	4
RU	20	26
CN	27	3
MA	27	17
VN	34	31
MU	1	2
NO	307	226
IN	0	2
SB	0	1
PE	15	12
SC	6	4
TW	2	2
Total	633	545

^{*}Note: considering that requested data covers the catch certificates from non- EU countries, submitted data on the certificates from the Great Britain (GB) indicated for 2021 only, when

¹⁶ Section to be filled-in by all Member States.

¹⁷ Please provide only the number of catch certificates i.e. not the number of all transactions (imports/declarations) where the same certificates have ben (re)used.

¹⁸ If catch certificates are submitted only for transhipment purposes, please specify.

¹⁹ ISO Alpha-2 country codes.

<u>GB was no longer an EU Member State.</u> (Data are available in the response to the point 4.3. <u>of this report).</u>

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

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

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

Flag State (EU)	2020	2021
<u>IE</u>	9	2
FR	11	13
EE	3	0
П	1	3
GB*	46	0
LT	2	0
ES	13	5
DE	1	0
DK	12	12
Total	98	35

*Note: considering that requested data covers the catch certificates from EU countries, submitted data on the certificates from the Great Britain (GB) indicated for 2020 only, when GB was an EU Member State. (Data are available in the response to the point 4.1. of this report).

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

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

4.5. How many <u>processing statements</u> (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 ²⁰	2020	2021
FO	1	0
CN	29	37
MU	2	0
NO	153	65
SC	36	31
ТН	18	21
UA	3	0
EC	0	2
PG	0	2
Total	242	158

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

 \boxtimes Yes \Box No

 \Box 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]

 \Box Yes \boxtimes No

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

In 2020:

In 2021:

4.8. Has your country received requests to authorise APEOs²¹ in 2020-2021?

 \Box Yes \boxtimes No

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

.....

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

²⁰ ISO Alpha-2 country codes.

²¹ Approved Economic Operators – IUU Regulation, Article 16 and Implementing Regulation (EC) 1010/2009, Chapter II

 \Box Yes

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

 $\boxtimes No$

If yes, please detail:

.....

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

 \boxtimes Yes \Box No

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

Destination country (non- EU) ²²	2020	2021
GB	0	50 *
Total	0	50

*Note: The number of re-export transactions is indicated (the number of certificates is 10).

4.11. Does your country monitor if the catches for which your country has validated a <u>re-export</u> <u>certificate</u> actually leave the EU?

 \Box Yes \boxtimes No

□ Not applicable (e.g. in the absence of validation of re-export certificates in 2020-2021)

If yes, please detail:

.....

4.12. Has your country established any IT tools to monitor the catch certificates and processing statements accompanying imports?

 \boxtimes Yes \Box No

If yes, does it include a module for re-exportation of imported catches?

 \boxtimes Yes \Box No

4.13. Does your country implement the provisions regarding transit under Article 19.2 at the point of entry or the place of destination?

 \Box At the point of entry \Box At the place of destination \Box Not implemented

²² ISO Alpha-2 country codes.

Section 5. Information on catch certification scheme for exportation²³

5.1. Have you established a procedure for validation of catch certificates for exportation of catches from own vessels in accordance with Article 15?

 \boxtimes Yes \Box No

 \Box 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.

Fishing company submits to the MoA the catch certificate via LFICIS with necessary data entered and signed by the master of the vessel (in a case when exported fisheries product consignment contains catches from several fishing vessels the relevant information may be attached as an annex to the catch certificate). Officials of the MoA check the licence number, quota and its' exhaustion level, landings and other relevant information, communicates, if necessary, with the SES on control and infringement matters, and then proceeds for signing of catch certificate. The scanned signed catch certificate is sent via email to the relevant entrepreneur (fishing company), as well as placed to the information system LFICIS. If requested also the original is available at any stage.

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

 \boxtimes Yes \Box 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:

		Year
Destination State ^{24, 25}	2020	2021
Anguilla	0	1
Australia	1	3
Belarus	194	186
Benin	1	0
Bulgaria	41	31
Canada	1	1
Croatia	8	5
Czech Republic	5	0
Denmark	12	20
Estonia	621	432
France	15	17
Georgia	7	16
Germany	144	123
Ghana	57	67
Iceland	15	2

²³ Section to be filled-in by flag Member States.

²⁴ ISO Alpha-2 country codes.

²⁵ It is recommended that the validation of a catch certificate for exportation takes place when the country of destination is known.

		Year
Destination State ^{24, 25}	2020	2021
Ireland	4	6
Israel	7	1
Italy	0	1
Japan	4	17
Kazakhstan	52	79
Kyrgyzstan	3	2
Latvia	6	48
Lithuania	312	281
Moldova, Republic of	39	41
Netherlands	6	15
Norway	1	0
Poland	131	178
Portugal	5	4
Romania	79	84
Serbia	7	9
South Africa	1	2
Spain	12	6
Thailand	1	0
The former Yugoslav	0	1
Republic of Macedonia		
Turkmenistan	0	1
U.K. of Great Britain	4	45
and Northern Ireland		
Ukraine	837	809
United States of America	3	3
Uzbekistan	5	1
Total	2641	2538

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

 \boxtimes Yes

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

 \Box Yes \boxtimes No

 $\Box No$

 \Box 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?

 \Box Yes \boxtimes No

 \Box 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 Regulation²⁶

- 6.1. Has your country established a procedure for checks of catch certificates in accordance with Article 16.1?
 - \boxtimes Yes \Box No

If yes, please detail:

There is an internal order of the SES regarding procedure for catch certificate checks. It prescribes the order of the circulation of the documents, as well actions of officers in verification process. EFCA guidelines for the checks and verification also are used. Importer submits documents prescribed by the Council Regulation 1005/2008, as well shows the originals of invoice and if necessary veterinary certificate or packaging documents.

Procedure of verification:

- SES verifies the state of origin of cargo crosscheck of information mentioned in the documents (invoice, certificates etc.), compliance of the catch certificate with the sample (SMS system, now CIRCABC), also information regarding fishing vessel, catch origin (fishing area).
- If necessary, SES communicates with the administration of state of origin, communicates via IUU mutual assistance.
- Registration and signing of the documents according to the national regulations and SES internal orders;
- SES confirms/denies relevant catch certificate and in the first case gives an official reference to the legality of product;
- SES scans relevant documents and placed scanned document into the information system LFICIS, if necessary, SES sends scanned document via email to the relevant importer.
- The Custom has the access to the information system LFICIS and checks documents verified by SES.

As regards the deadline for the submission of the Catch Certificate laid down in Article 16(1) of the IUU Regulation, there also should be noted that the Latvian Regulation No 94 "Regulations Regarding the Control of Fish Landing and Inspection of Fish Marketing and Transport Facilities, Warehouses and Processing Premises" (paragraph 4.¹) provides that, the master of the fishing vessel of a third country or a representative thereof shall, at least three working days before the expected time of arrival of the vessel at the port of the Republic of Latvia, submit electronically to the State Environmental Service the information referred to in Article 6(1) of Regulation No 1005/2008 and the European

²⁶ Section to be filled-in by all Member States

Community catch certificate referred to in Annex II to Regulation No 1005/2008 (hereinafter - the catch certificate) which has been approved in conformity with Chapter III of the abovementioned Regulation.

6.2. Do you check <u>all</u> 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)?

 \boxtimes Yes \Box 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) ²⁷	20:	20	2021		
	Overall number of catch certificates received	Number of catch certificates <u>check ed</u>	Overall number of catch certificates received	Number of catch certificates <u>check ed</u>	
Country 1					
Country 2					
Country x					
Total					

*Note: taking into account that all catch certificates are checked, number of catch certificates received is the same as number of catch certificates checked. Information on these numbers is available in the Section 4 of this report.

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

All data presented in catch certificates are checked in accordance with Article 16.1. of the IUU regulation and procedure and guidelines developed by the EFCA. Detail information on the procedure for catch certificates checks is available in point 6.1. of this report.

6.3. Has your country established a procedure for verification of catch certificates for importation in accordance with Article 17.2?

 \Box Yes $\boxtimes No^*$

If yes, please detail:

²⁷ ISO Alpha-2 country codes.

<u>*Note: the verification procedure is based on the requirements of Article 17.2 of the IUU</u> regulation.

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?

All* □ Only part by applying risk management
□ Only part without applying risk management
□ No verifications
*Note: there are no specific criteria implemented in Latvia regarding identification of risks
upon which verifications take place in accordance with Article 17.3 of the IUU Regulations.
Verifications are always performed in cases noted in paragraph 17.4 of the IUU Regulation.
At the same time documentary validation of the catch certificates and other accompanying documents checks are in place. Documents for all imports are checked according to the EFCA and Commission guidelines etc. If there is any suspicion on the compliance of the consignment with the rules prescribed in the regulations, it is the duty of the officials to proceed with the physical verification of the products to be imported.

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):

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

.....

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.

N/A

Physical verifications of the consignments were performed by the Customs according to risk criteria developed within customs procedure. Please see answer for the point 6.8 of this report.

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<u>*</u>:

Flag State (EU or non-EU) ²⁸	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>	
Country 1					
Country 2					
Country x					
Total					

*Note: taking into account that all received catch certificates are checked and verified according to the EFCA and Commission guidelines, number of catch certificates received is the same as number of catch certificates checked and verified. Information on these numbers is available in the Section 4 of this report.

Latvia would like to point out that check and verification procedure does not provide basic check only (for example the terms of validity of the fishing license of fishing vessels, IMO number etc. are checked always). Procedure for verification is available in the point 6.1 of this report.

Therefore, individual verification data cannot be separated from checks data. In our opinion, ALL catch certificates received have been both checked and verified.

Please reply to the following questions **:

- How many catch certificates have you verified in the context of the application of Article 17.4?
- How many catch certificates have you verified on the basis of risk identified in accordance with Article 17.3?
- How many catch certificates have been verified at random (Article 17.5)?

<u>** Note: Such data are not collected, so no figures can be provided on verifications by the</u> <u>mentioned points of the Article 17.</u>

6.8. Does your country also physically verify the consignments?

 \boxtimes Yes \Box No

If yes, please detail:

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

In the period from 01.01.2020 to 31.12.2021, 29 physical verifications (16 - in 2020 and 13 - in 2021) were performed on consignments of fishery products, which accounted for 0.25% of all in-depth physical controls performed by the SRS National Customs Board.

²⁸ ISO Alpha-2 country codes.

Export and import declarations (CN code: 0300 00 00 - Fish and crustaceans, molluscs and other aquatic invertebrates) were selected from the Customs Electronic System and routed to the "Red line" and which is a subject for physical verification.

Method of selection: Physical verifications were performed according to risk profiles.

Section 7. Assistance requests to third countries²⁹

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?

 \boxtimes Yes \Box No

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

Flag States ³⁰	No of assistance requests for verifications 2020	Justification	No of assistance requests for verifications 2021	Justification
PE	2	17.4	-	-
Total	2	-	-	-

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?

YES

If no, please explain why the quality was not sufficient, and the measures you have taken in such case(s).

7.4. Have you sent assistance requests to other countries than the flag State?

NO

If yes, please specify the number, the reasons and the countries concerned, and the quality of the feedback provided.

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)?

²⁹ Section to be filled-in by all Member States

³⁰ ISO Alpha-2 country codes.

In Latvia we use third countries IT systems on daily bases, most certificates have been verified through Norway, Russia, China, Canada and Ecuador IT systems.

In 2020 approximately 370 catch certificates and 100 indirect statements;

In 2021 approximately 270 catch certificates and 50 indirect statements.

Section 8. Information on refusal of importations (Article 18 of the IUU Regulation)³¹

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.

 \Box Yes \boxtimes No

If yes, please provide details in the table below:

Reason for refusal of	2020		2021	
importation	Flag State ³²	No.	Flag State ³³	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)?

³¹ Section to be filled-in by all Member States

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³² ISO Alpha-2 country codes.

³³ 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?

 \Box Yes \boxtimes No

If yes, please detail:

Section 9. Information on trade flows³⁴

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:

Historically, the export of fishery products (including canned fish) from the fisheries sector in Latvia significantly exceeds the import of fishery products. In 2020 the foreign trade balance for fishery products (including canned fish) has remained positive, and the value of export exceeds the value of import by 47,4 mln EUR, while in 2021 export exceeds import by 31,5 mln EUR.

Latvia imports fishery products (frozen, chilled, salted fish, fish fillets, molluscs and shellfish) and canned fish (mostly from herring, surimi, molluscs and shellfish, tuna, salmon and other fish). In 2020 compared to 2019 the total volume of imported fishery products (including canned fish) increased by 21,8% and reached 88,2 thsnd t. (from EU and third countries). In 2021 compared to 2020 it increased by 8,2% and reached 95,5 thsnd t.

EU countries have the biggest share of Latvia's total import of fishery products (including canned fish). In 2020 the share of EU countries was 78,2% or 69,1 thsnd t, while in 2021 it reached 79,8% or 76,2 thsnd t.

In 2020 the share of third countries in the total import of fishery products (including canned fish) was 21,8% or 19,1 thsnd t, while in 2021 - 20,2% or 19,2 thsnd t. From the third countries the biggest share of fishery product import (including canned fish) had been Iceland (5,8%), Norway (5,5%), United Kingdom (2,8%) and Faroe Islands (2,2%).

In 2020 compared to 2019 import of fishery products (including canned fish) from Russia decreased by 82,9% and reached 208 t. In 2021 compared to 2020 it increased by 235% and reached 488 t. The share of Russia in the total volume of import of fishery products (including canned fish) was only 0,5%.

In 2020 Latvia imported fish products from 51 countries, while in 2021 from 52.

Section 10. Information on mutual assistance³⁵

³⁴ Section to be filled-in by all Member States

³⁵ Section to be filled-in by all Member States

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?³⁶

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

2020 - 4

2021 - 3

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 - 0

³⁶ 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 countries³⁷

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?

 \Box Yes \boxtimes No

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

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Section 12. Information on nationals³⁸

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.

Section 13. Infringements (Chapter IX of the IUU Regulation) and Sightings (Chapter X of the IUU Regulation)³⁹

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

 \boxtimes Yes \Box No

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

³⁷ Section to be filled-in by all Member States

³⁸ Section to be filled-in by all Member States

³⁹ Section to be filled-in by all Member States

Flag State of the vessel or	Se	rious infringe in 20	ements detected 020:	Se	rious infringe in 20	ements detected 21:
nationality of the operator (EU and non-EU) ⁴⁰	Number	Nature	Sanctions applied	Number	Nature	Sanctions applied
	1	Regulation No 1005/2008 Article 3 Point B	Administrative violation Fine 280eur 3 penalty points	1	Regulation No 1005/2008 Article 3 Point B	Administrative violation Fine 675eur 3 penalty points
LV	2	Regulation No 1005/2008 Article 3 Point B	Administrative violation Fine 675eur 3 penalty points	2	Regulation No 1005/2008 Article 3 Point B	Administrative violation Fine 675eur 3 penalty points
LV	3	Regulation No 1005/2008 Article 3 Point B	Administrative violation Fine 450eur 3 penalty points	3	Regulation No 1005/2008 Article 3 Point I	Administrative violation Fine 950eur 3 penalty points
LV	4	Regulation No 1005/2008 Article 3 Point B	Administrative violation Fine 576eur 3 penalty points	4	Regulation No 1005/2008 Article 3 Point E	Administrative violation Fine 500eur 4 penalty points
EE	5	Regulation No 1005/2008 Article 3 Point B	Administrative violation Fine 1000eur 3 penalty points	-	-	-
LV	-	-	-	5	Regulation No 1005/2008 Article 3 Point C	Administrative violation Fine 303000eur 6 penalty points

 $^{^{40}}$ ISO Alpha-2 country codes.

Flag State of the vessel or	Serious infringements detected in 2020:		Serious infringements detected in 2021:			
nationality of the operator (EU and non-EU) ⁴⁰	Number	Nature	Sanctions applied	Number	Nature	Sanctions applied
Total	5			5		

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

 \boxtimes Yes \Box No

If yes, please detail:

In practice, SES directly applies Art.44 IUU Regulation which prescribes that in case of serious infringements the MS shall impose a maximum sanction of at least five times the value of the fishery products obtained by committing the serious infringement.

In 2020, the Administrative Violations Code was replaced by the Law on Administrative Liability, which now regulates the administrative process, leaving the type and level of sanctioning for the sectoral legislation, that is, the Fisheries Law in the case of IUU fishing. The administrative liability system was reformed, but it did not change the approach to sanctioning in terms of substance.

On the basis of the Fisheries Law in case of infringement of the rules of fishing in the territorial waters, the economic zone waters or in international waters physical persons can be fined from 30 EUR up to 350 EUR, and legal persons can be fined from 140 EUR up to 4300 EUR. Also confiscation of fishing gear and suspension of the fishing license up to one year can be applied. In case of repeated violation of fishing regulations during the year, the natural persons can be fined from 1400 EUR. Also confiscation of the fishing license up to 14000 EUR. Also confiscation of fishing gear and suspension of the fishing gear and suspension of the fishing license up to 14000 EUR. Also confiscation of fishing gear and suspension of the fishing license up to three year can be applied. For fishing without authorization, in prohibited place, or with prohibited gear, physical persons can be fined from 280 EUR up to 700 EUR and legal persons can be fined from 14000 EUR. Also confiscation of fishing gear and suspension of the fishing license up to three year can be applied. For fishing without authorization, in prohibited place, or with prohibited gear, physical persons can be fined from 280 EUR up to 700 EUR and legal persons can be fined from 1400 EUR up to 14000 EUR. Also confiscation of fishing gear and suspension of the fishing license up to three year can be applied.

In 2017 SES has established criteria for determining the serious nature of an infringement. These criteria are amount of undeclared fish (if more than 15 % difference between amount recorded in logbook and landed amount), value of undeclared fish (if more than 500 EUR in value is taken outside the coastal zone waters and 250 EUR - in coastal waters), difference of mesh size grater that 5 mm and if the number of fishing gear used in fishing exceeds permitted fishing gear limit more than 20%.

Sanctions are calculated on the value of the fisheries products obtained by committing a serious infringement. Article 16 (6) of the Law on Administrative Liability sets that the maximum amount of fine for natural and legal persons in the sanction of administrative

<u>penalty prescribed by law may be exceeded if the need for a larger fine has been</u> <u>determined in international law</u> binding on the Republic of Latvia. This Article allows imposing administrative sanctions accordance with Article 44 of IUU regulation.

In addition to the legislation providing for administrative liability (based on the Fishery Law and Law on Administrative Liability), also criminal liability may apply pursuant to the Criminal Law (in particular, Article 110 on Arbitrary Fishing and Acquisition of Aquatic Animals).

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

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

 \Box Yes \boxtimes No

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

Flag State of the sighted vessel (EU and non-EU) ⁴¹	No of sighting reports issued in 2020	No of sighting reports issued in 2021
Country 1	-	-
Country 2	-	-
	-	-
Country x	-	-
Total	-	-

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?

 \Box Yes \boxtimes 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. 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?

The main potential problem, as it was mentioned also in the previous report, is in relation with the multiple importations. There is possible to make multiple importations of notified amount of fishery products using the same catch certificate several times, it is not

⁴¹ ISO Alpha-2 country codes.

possible to communicate every catch certificate with colleagues and control authorities in other Member States. We hope that IT CATCH will solve this problem.

Latvian IUU SLO points out to the problem with the box 12 of the catch certificate, where Latvian authority detected that some MS, when fisheries products were released into free circulation, doesn't fill box 12 of catch certificate. Possibly it was due to restrictions during the pandemic. As the result, we received confirmation from the Commission that box 12 must be stamped upon importation.

Section 15. Any other comment

Latvian IUU team would like to thank the Commission and EFCA for the trainings and working groups organized in the context of IUU Regulation, as well as recognizes that these trainings and exchange of experience between MS are very useful and helpful for Latvian IUU team daily work.

In the context with IT CATCH Latvian IUU SLO would like to point out again that implementation of Customs Single Window as soon as possible is important. This tool, in Latvian view, could help to ensure the necessary data exchange between competent authorities, thus allowing to use IT CATCH system also in Latvia.

Additionally, we appreciate the step to switch from SMS database to CIRCABC, where information/notifications are available in an orderly and structured way and there will be no need to open many documents in the different sources.

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