

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

Reporting period 2022-2023 (deadline for submission 30 April 2024)

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|--|--|
| Member State: | Austria |
| Organisation: | Federal Office for Food Safety/Bundesamt für Ernährungssicherheit, Spargelfeldstraße 191, A-1220 Wien Tel: 0043 (0) 50555 32351, Mail: baes@baes.gv.at |
| Date: | April 2024 |
| Name, position and contact details of responsible official: | |

| | |
|--|-------------------------------------|
| May the Commission provide a copy of this questionnaire to other Member States? | |
| Yes: | <input checked="" type="checkbox"/> |
| Yes except for questions (list): | |
| No: | |
| May the Commission provide a copy of this questionnaire to the European Fisheries Control Agency for a horizontal assessment¹? | |
| Yes: | <input checked="" type="checkbox"/> |
| Yes except for questions (list): | |
| 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%3A52022XC0408%2802%29&qid=1701963740421>

¹ This assessment is for internal use of the Commission. EFCA will present to Member States a summary of this assessment in the EFCA’s Plenary and Steering Group meeting.

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):

Federal Office for Food Safety (BAES)

Section 1. Information on legal framework²

Since the last reporting exercise covering the period 2020-2021, has your country adopted/modified national law or any administrative guides for the application of any of the provisions of Council Regulation (EC) No 1005/2008 on illegal, unreported and unregulated fishing (IUU Regulation)?

Yes No

If yes, please detail and provide copies or provide link to the official national database.

Section 2. Information on administrative organisation³

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);
- nationals (Chapter VII).

When providing the above requested information, please specify if different authorities/services are involved in the implementation of the IUU Regulation for:

- *the control of the access and use of ports, including for landings and transshipments, of third country fishing vessels in accordance with Chapter II of the IUU Regulation;*
- *checks and verifications of catch certificates for fishery products arriving on board of third country fishing vessels at designated ports;*
- **checks and verifications of catch certificates for imports of consignment with fishery products arriving by other means than fishing vessels (e.g. by containers, planes, trucks);**
- **validation of catch certificates for exports;**
- **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):

The assessment is done by the AGES GmbH (Austria Agency for Health and Food Safety), final decisions are made by the Federal Office for Food Safety (BAES)

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.):

We have a cooperation with the customs, which is available for our detailed questions and which send us the taken CC's

² This section 1 is to be filled-in by all Member States i.e. coastal and landlocked Member States.

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

If written agreements on cooperation between different authorities/services have been concluded, please provide copies.

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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); please specify which authority they belong to:

- *for checks and verifications in accordance with Articles 16 and 17 of the IUU Regulation;*
- *for validation of catch certificates for exports and of re-export certificates in accordance with Articles 15(2) and 21(3) of the IUU Regulation.*

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Does your country have freezones/freeports⁴ in which activities relevant to importation/exportation/processing of fishery products are authorised?

Yes No

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

Section 3. Information on access to ports, including for landings and transhipments of fishery products, by third country fishing vessels⁵ (and information on related port inspections and confirmed infringements)⁶

3.1. Does your country have designated ports for access to port services or landings or transhipment of fishery products by third country fishing vessels (Article 5 of the IUU Regulation⁷)?

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:

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52023XC01237>

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 2022 and 2023 respectively, how many times have third country fishing vessels been granted authorisation to access designated ports in your country only for repair/maintenance/supply?⁸

⁴ https://ec.europa.eu/taxation_customs/business/customs-procedures/what-is-importation/free-zones_en

⁵ Fishing vessels as defined in article 2(5) of the IUU Regulation.

⁶ 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.

⁷ Please note that ports designated under Regional Fisheries Management Organisations must also be designated under the IUU Regulation with restrictions if necessary (species, etc.).

⁸ 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 where they do not carry fishery products on board and therefore no landing or

NOT APPLICABLE

3.3. How many landings and transshipments in designated ports by third country fishing vessels have been recorded by your country between 1 January 2022 until 31 December 2023? How many inspections did your country carry out and how many infringements have been detected?
NOT APPLICABLE

Please fill-in the table below (2022):

| Inspections of third country fishing vessels in Member States ports (2022) | | | | | | | | |
|--|---|-----------------------------------|--|-----|-----|-----|-----|-------|
| Type of operation | Vessels | Figures (2022) | Flag of the third country vessel(s) ⁹ | | | | | Total |
| | | | Example: IS | FS1 | FS2 | FS3 | FSx | |
| Landings | Third country vessels using MS designated ports | Number of landings | 100 | | | | | |
| | | Number of inspections | 10 | | | | | |
| | | % of inspections / landings | 10% | | | | | |
| | | Number of infringements | 3 | | | | | |
| Transshipments | Third country vessels using MS designated ports | Number of transshipments in ports | 2 | | | | | |
| | | Number of inspections | 0 | | | | | |
| | | % of inspections / transshipments | 0 | | | | | |
| | | Number of infringements | 0 | | | | | |

transshipment operation is foreseen. Third country fishing vessels shall only access ports designated in accordance with Article 5.

⁹ ISO Alpha-2 country codes.

Please fill-in the table below (2023):

| Inspections of third country fishing vessels in Member States ports (2023) | | | | | | | | |
|--|---|----------------------------------|---|-----|-----|-----|-----|-------|
| Type of operation | Vessels | Figures (2023) | Flag of the third country vessel(s) ¹⁰ | | | | | Total |
| | | | Example: IS | FS1 | FS2 | FS3 | FSx | |
| Landings | Third country vessels using MS designated ports | Number of landings | 100 | | | | | |
| | | Number of inspections | 10 | | | | | |
| | | % of inspections / landings | 10% | | | | | |
| | | Number of infringements | 3 | | | | | |
| Transhipments | Third country vessels using MS designated ports | Number of transhipments in ports | 2 | | | | | |
| | | Number of inspections | 2 | | | | | |
| | | % of inspections / transhipments | 100% | | | | | |
| | | Number of infringements | 0 | | | | | |

3.4. From the figures above, in the cases where your country detected infringements concerning third country fishing 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 (2022):

| Flag of the third country vessel ¹¹ | Name of the third country vessel | Type of infringements | Measures taken |
|--|----------------------------------|-----------------------|----------------|
| FS1 | | | |
| FS2 | | | |
| ... | | | |
| FSx | | | |

Please fill-in the table below (2023):

| Flag of the third country vessel ¹² | Name of the third country vessel | Type of infringements | Measures taken |
|--|----------------------------------|-----------------------|----------------|
| FS1 | | | |

¹⁰ ISO Alpha-2 country codes.

¹¹ ISO Alpha-2 country codes.

¹² 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 2022 and 2023, respectively (by species and flag of the catching 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 2022 and 2023, respectively (by species and flag of the vessels):

Please fill-in the table below (landings):

| Landings in 2022 | | Landings in 2023 | |
|---|--|---|--|
| Flag of the third country vessel that caught the fish ¹³ | Landed quantities by species ¹⁴ (weight in tonnes) | Flag of the third country vessel that caught the fish ¹⁵ | Landed quantities by species ¹⁴ (weight in tonnes) |
| 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 2022 | | Transhipments in 2023 | |
|--|---|--|---|
| Flag of the third country vessel ¹⁶ | Transhipped quantities by species ¹⁴ (weight in tonnes) | Flag of the third country vessel ¹⁷ | Transhipped quantities by species ¹⁴ (weight in tonnes) |
| FS1 | Species 1: | FS1 | Species 1: |

¹³ ISO Alpha-2 country codes.

¹⁴ Please use the FAO Alpha-3 codes (ASFIS).

¹⁵ ISO Alpha-2 country codes.

¹⁶ ISO Alpha-2 country codes.

¹⁷ ISO Alpha-2 country codes.

| | | | |
|-----|--|-----|--|
| | Species 2: Species x: | | Species 2: Species x: |
| FS2 | Species 1: Species 2: Species x: | FS2 | Species 1: 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 2022:

In 2023:

3.7. Since January 2022, 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 2022:

In 2023:

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 2022:

In 2023:

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) No 1010/2009]?

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 at least 5% of landing and transshipment 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 importation¹⁸

4.1. How many catch certificates¹⁹ from non-EU countries were submitted to the authorities of your country from 1 January 2022 until 31 December 2023? Please complete the following table by flag State validating the catch certificates, including cases where catch certificates are accompanied by processing statements.²⁰ 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.

No data available regarding simplified catch certificates. all catch certificates are included in the numbers below

| Flag State (non-EU) ²¹ | 2022 | | 2023 | |
|-----------------------------------|--|--|--|--|
| | Annex II catch certificate ²² | Simplified catch certificate ²³ | Annex II catch certificate ²² | Simplified catch certificate ²³ |
| <i>Iceland</i> | 0 | n.a. | 1 | n.a. |
| <i>Nicaragua</i> | 0 | n.a. | 1 | n.a. |
| <i>Russia</i> | 0 | n.a. | 1 | n.a. |
| <i>Maldives</i> | 0 | n.a. | 1 | n.a. |
| <i>Tunisia</i> | 0 | n.a. | 1 | n.a. |
| <i>Senegal</i> | 1 | n.a. | 0 | n.a. |
| <i>Panama</i> | 0 | n.a. | 2 | n.a. |
| <i>Peru</i> | 0 | n.a. | 2 | n.a. |
| <i>Seychelles</i> | 2 | n.a. | 0 | n.a. |
| <i>Taiwan</i> | 2 | n.a. | 0 | n.a. |
| <i>Ecuador</i> | 3 | n.a. | 7 | n.a. |
| <i>South-Korea</i> | 3 | n.a. | 0 | n.a. |
| <i>USA</i> | 3 | n.a. | 3 | n.a. |
| <i>Papua New-Guinee</i> | 4 | n.a. | 0 | n.a. |
| <i>Canada</i> | 5 | n.a. | 5 | n.a. |
| <i>Thailand</i> | 6 | n.a. | 4 | n.a. |
| <i>India</i> | 7 | n.a. | 5 | n.a. |
| <i>Philippines</i> | 8 | n.a. | 27 | n.a. |

¹⁸ Section to be filled-in by all Member States.

¹⁹ 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.

²⁰ If catch certificates are submitted only for transshipment purposes, please specify.

²¹ ISO Alpha-2 country codes.

²² Based on Annex II to the IUU Regulation

²³ Based on Annex IV to the Regulation (EC) No 1010/2009

| Flag State (non-EU) ²¹ | 2022 | | 2023 | |
|-----------------------------------|--|--|--|--|
| | Annex II catch certificate ²² | Simplified catch certificate ²³ | Annex II catch certificate ²² | Simplified catch certificate ²³ |
| <i>Ghana</i> | 9 | n.a. | 6 | n.a. |
| <i>Norway</i> | 10 | n.a. | 6 | n.a. |
| <i>Turkey</i> | 11 | n.a. | 4 | n.a. |
| <i>China</i> | 13 | n.a. | 13 | n.a. |
| <i>Morocco</i> | 21 | n.a. | 42 | n.a. |
| <i>Vietnam</i> | 33 | n.a. | 30 | n.a. |
| TOTAL | 143 | n.a. | 161 | n.a. |

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.*

| RFMO document | 2022 | 2023 |
|---|------|------|
| <i>ICCAT (electronic)-bluefin tuna catch document</i> | - | - |
| <i>Dissostichus spp. (CCAMLR)</i> | - | - |
| <i>CCSBT CDS</i> | - | - |
| Total | - | - |

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 2022 until 31 December 2023?

| Flag State (EU) | 2022 | 2023 |
|-----------------|------|------|
| <i>Spain</i> | 2 | 3 |
| <i>France</i> | 0 | 1 |
| Total | 2 | 4 |

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

| RFMO document | 2022 | 2023 |
|---|------|------|
| <i>ICCAT (electronic)-bluefin tuna catch document</i> | - | - |
| <i>Dissostichus spp. (CCAMLR)</i> | - | - |
| <i>CCSBT CDS</i> | - | - |
| Total | - | - |

4.5. How many processing statements (Article 14(2) – Annex IV) were submitted to the authorities of your country from 1 January 2022 until 31 December 2023? Please provide details per year and per processing country.

| Processing non-EU State²⁴ | 2022 | 2023 |
|---|-------------|-------------|
| <i>South Korea</i> | 5 | 5 |
| <i>Mauritius</i> | 1 | 1 |
| <i>Papua New Guinea</i> | 2 | 11 |
| <i>Serbia</i> | 3 | 3 |
| <i>Thailand</i> | 7 | 5 |
| <i>Turkey</i> | 3 | 3 |
| <i>Tunisia</i> | 0 | 1 |
| <i>Ecuador</i> | 0 | 7 |
| <i>Malaysia</i> | 0 | 1 |
| TOTAL | 21 | 37 |

4.6. How many single transport documents referred to in Article 14(1)(b)(i) were submitted to the authorities of your country from 1 January 2022 until 31 December 2023? Please provide details per year and by third country concerned.

| Non-EU State concerned²⁵ – single transport document | 2022 | 2023 |
|--|-------------|-------------|
| <i>Total</i> | 0 | 0 |

4.7. How many documents referred to in Article 14(1)(b)(ii) (the so-called non-manipulation declarations) were submitted to the authorities of your country from 1 January 2022 until 31 December 2023? Please provide details per year and per country that issued such a document.

| Non-EU State issuing a document in line with Article 14.1.b ii²⁶ | 2022 | 2023 |
|--|-------------|-------------|
| <i>Total</i> | 0 | 0 |

4.8. Please indicate if you retain and record the information contained in processing statements (Article 14.2 – Annex IV) 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 2022-2023)

²⁴ ISO Alpha-2 country codes.

²⁵ Country through which fishery products went when transported from the territory of the flag State and before arriving to your country.

²⁶ ISO Alpha-2 country codes.

4.9. 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 2022: Data not available

In 2023: Data not available

4.10. Has your country received requests to authorise APEOs²⁷ in 2022-2023?

Yes No

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

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4.11. Has your country adopted administrative rules referring to the management and control of APEOs in 2022-2023?

Yes No

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

If yes, please provide details:

.....

4.12. Has your country validated re-export certificates for products imported from 1 January 2022 until 31 December 2023?

Yes No

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

| Destination country (non-EU)²⁸ | 2022 | 2023 |
|--|-------------|-------------|
| <i>Switzerland</i> | 28 | 65 |
| Total | 28 | 65 |

4.13. 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 2022-2023)

²⁷ Approved Economic Operators – IUU Regulation, Article 16 and Implementing Regulation (EC) No 1010/2009, Chapter II

²⁸ ISO Alpha-2 country codes.

If yes, please provide details:

.....

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

Yes If excel counts as IT-tool *No*

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

Yes If excel counts as IT-tool *No*

4.15. 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 because no consignments were placed under transit procedure as laid down in Article 19(2)

Section 5. Information on catch certification scheme for exportation²⁹

All following questions in section 5 are not applicable for Austria.

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 2022-2023)

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

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5.2. Have you validated catch certificates for exportation in 2022-2023 in accordance with Article 15?

Yes No

If yes, how many catch certificates did you validate from 1 January 2022 to 31 December 2023? Please provide details per requesting third country/country of destination in the following table:

| Destination State ^{30, 31} | Year | |
|-------------------------------------|------|------|
| | 2022 | 2023 |
| <i>Third Country 1</i> | | |
| <i>Third Country 2</i> | | |
| ... | | |
| <i>Third Country x</i> | | |
| Total | | |

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 2022-2023)

²⁹ Section to be filled-in by flag Member States.

³⁰ ISO Alpha-2 country codes.

³¹ It is recommended that the validation of a catch certificate for exportation takes place when the country of destination is known.

5.5. Has your country refused the validation of a catch certificate between 1 January 2022 and 31 December 2023?

Yes No

Not applicable (e.g. in the absence of request for validation of catch certificates for exportation in 2022-2023)

If yes, please provide details on:

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 Regulation³²

Please note: points 6.1 to 6.3 in this Section refer to checks of catch certificates in accordance with Article 16(1) whereas points 6.4 to 6.11 refer to verifications of catch certificates in accordance with Article 17.

The clear separation between checks and verifications in this Section thus reflects the provisions of the mentioned Articles of the IUU Regulation.

It is therefore important to provide the requested information in line with this separation.

6.1. Has your country established a procedure for checks of catch certificates in accordance with Article 16(1)?

X Yes No

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. (i) if all required data are provided in a catch certificate and (ii) if these data correspond to the notification from the flag State in question³³)?

X Yes No

If you do not check all catch certificates as indicated above (i.e. for data completeness and correspondence with information from the flag State notification) and instead you apply risk management for checks, please provide the following:

- risks identified in 2022 and 2023 on the basis of risk management used to check catch certificates, and
- number of catch certificates checked:

Please fill-in the table below:

³² Section to be filled-in by all Member States

³³ Based on comparison of the information in the catch certificate with the information provided in the flag State notification available to Member States authorities on the Commission website (in CIRCABC database).

Austria check all CC

| Flag State (EU or non-EU) ³⁴ | 2022 | | 2023 | |
|---|---|---|---|---|
| | 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> |
| <i>Country 1</i> | <u>Please see Table 4.1</u> | | | |
| <i>Country 2</i> | | | | |
| ... | | | | |
| <i>Country x</i> | | | | |
| Total | | | | |

6.3. What exactly do you check in catch certificates in accordance with Article 16(1)? Please describe the precise scope and the procedure used in detail³⁵:

6.4. Has your country established a procedure for verification of catch certificates for importation in accordance with Article 17?

- Yes* *No*

6.5. 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?

Please see our Answer from 2022 sent by [redacted] We do apply risk management, for example CCs from yellow-card-countries are always subject to some kind of verification, but we also do verification if it seems necessary because something comes up during checks. Everything is explained in detail in the 2022-email and we act accordingly

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

6.6. If you apply risk management to verifications (Article 17(3)), do you use Union (Article 31 of Commission Regulation (EC) No 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):

Information about Yellow and Red Cards, Information of ongoing Requests from DG MARE regarding Importers/Vessels/Countries etc – those are always in the “Background” of our work and

³⁴ ISO Alpha-2 country codes.

³⁵ Please provide a complete description (not only examples of what and how is checked).

updated if necessary/when new information comes to our attention.....
 ...

If you apply national criteria, please detail them and the methodology used³⁶: Information of our customs; history of importers, flag states and their responses to requests; all kind of information geopolitical, economic, scientific; additional information such as purple notices and information of RFMOs;

6.7. If you apply risk management to verifications, please provide information on the risks identified in 2022 and 2023 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.

See the answers above. It is hard to impossible to specify the percentage of consignments identified as risky, the only data that can be extracted is CCs from yellow-card-countries. All other verifications are not specifically marked in our Excel-Sheet and therefore cannot be reported by exact numbers.

6.8. If you do not apply risk management to verifications, please describe the procedure used³⁷:

See the answers above please. This work is just not possible only with fixed criteria (as important as they are), you also need to have an open eye and use all information gathered anywhere.

6.9. How many catch certificates have been verified by your administration from 1 January 2022 until 31 December 2023? Please specify, separately for each year:

SEE 6.7 – ONLY CCs from yellow – card – countries are listed here, those are always verified, PLUS CCs from Russia (because of historical reasons). All other countries (see Table 4.1) are not listed here because we have no exact numbers to report.

| Flag State (EU or non-EU) ³⁸ | 2022 | | 2023 | |
|---|---|--|---|--|
| | 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>Ecuador</i> | 3 | 3 | 7 | 7 |
| <i>Ghana</i> | 9 | 9 | 6 | 6 |
| <i>Vietnam</i> | 33 | 33 | 30 | 30 |
| <i>Russia</i> | 0 | 0 | 1 | 1 |
| Total | - | - | - | - |

³⁶ Please provide a complete description (not only examples of national criteria and of their use).

³⁷ Please provide a complete an accurate description

³⁸ ISO Alpha-2 country codes.

6.10. Please reply to the following questions:

As we did not log those data there are no numbers that could be reported.

- a) How many catch certificates have you verified in the context of the application of Article 17(4)?
- b) How many catch certificates have you verified on the basis of risk identified in accordance with Article 17(3)?
- c) How many catch certificates have been verified at random (Article 17(5))?

6.11. Does your country also physically examine the consignments in the context of verifications? *Please note that under this point you are asked to provide information on physical examinations based only on IUU-related grounds.*

- Yes No

If yes, please provide details on:

- a) *Number of physically examined consignments (per year) and percentage in relation to all verifications made:* 1
- b) *Method of selection of consignments:* Ad hoc in combination with risk management

Section 7. Assistance requests to third countries³⁹

7.1. Have you sent assistance requests for verifications under Article 17(6) of the IUU Regulation to flag States' authorities in 2022-2023⁴⁰?

- Yes No

If yes, how many assistance requests for verifications? *Note: please provide separate data for 2022 and 2023:*

| Flag States⁴¹ | Number of assistance requests for verifications 2022 | Justification (please provide a brief description) | Number of assistance requests for verifications 2023 | Justification (please provide a brief description) |
|---------------------------------|---|--|---|--|
| <i>Vietnam</i> | 4 | Data of transshipment questionable or missing; misfit of dates regarding catch and production; bad quality of writing/data not readable; | 4 | Data of weights questionable; two versions of the same CC received in the process; vessel registration questionable; Request if authority for Annex IV-document is valid |
| <i>USA</i> | 1 | CC invalid in US online system | 0 | |

³⁹ Section to be filled-in by all Member States

⁴⁰ Please note that assistance requests for verifications sent to countries other than flag States should be listed under point 7.4.

⁴¹ ISO Alpha-2 country codes.

| Flag States⁴¹ | Number of assistance requests for verifications 2022 | Justification (please provide a brief description) | Number of assistance requests for verifications 2023 | Justification (please provide a brief description) |
|---------------------------------|---|---|---|---|
| <i>Turkey</i> | 1 | No information on catch dates and area | 0 | |
| <i>Ghana</i> | 3 | Data of catch exceeding data of catch licence for FV | 1 | Data request of logbooks for verification |
| China | 0 | | 2 | Template request; duration/time of transshipment |
| Ecuador | 0 | | 1 | Authority not listed in CIRC ABC |
| Nicaragua | 0 | | 1 | Template not in CIRC ABC; bad quality/non-readable data |
| Peru | 0 | | 1 | Questions about species; misfit of dates of catch and production, request for logbook – import was denied |
| Philippines | 0 | | 1 | Non-readable data |
| Russia | 0 | | 1 | Validity of CC |
| Senegal | 1 | Validity of CC questionable, no name of authority etc | | |

7.2. How many assistance requests for verifications 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. have you denied the importation)? [Please provide separate data for 2022 and 2023]

2022 : 1

2023: 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).

Overall sufficient, if open questions remain, we ask again and got satisfactory answers.
Exception was Senegal in 2022, they did not answer anything at all, never.

7.4. Have you sent assistance requests for verifications 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.

No

7.5. If you have been using IT systems developed by third countries allowing for a full or partial verification⁴² of catch certificates, please indicate these countries and the number of verifications that were made through their systems (at least approximately)?

All CCs from: USA, Canada, Turkey, India are checked regularly by using the third-country IT systems available. Numbers: please see table 4.1!

⁴² Please indicate if you use these IT systems already as part of your checks (not verifications) of catch certificates.

Section 8. Information on refusal of importations (Article 18 of the IUU Regulation)⁴³

8.1. Has your country refused any imports from 1 January 2022 until 31 December 2023? *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 | 2022 | | 2023 | |
|--|--------------------------|--|--------------------------|--------|
| | Flag State ⁴⁴ | Number | Flag State ⁴⁵ | Number |
| 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. | SN | No number available on the provided document | | |
| 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 | | | | |

⁴³ Section to be filled-in by all Member States

⁴⁴ ISO Alpha-2 country codes.

⁴⁵ ISO Alpha-2 country codes.

| Reason for refusal of importation | 2022 | | 2023 | |
|--|--------------------------|--|--------------------------|---------------------------|
| | Flag State ⁴⁴ | Number | Flag State ⁴⁵ | Number |
| 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). | GH | GH/DOF-FC/A4/2022/0220 And GH/DOF-FC/2022/0219 | PE | PER/DIREPRO.LIM/2023/1266 |

8.2. If the answer to point 8.1 is yes, what measures were taken by your authorities in relation to the consignments refused (Article 18.3)? Please also quote the national legal basis for the measures taken.

Consignments did not enter Austria.

Legal basis:

Verordnung des Bundesministers für Land- und Forstwirtschaft, Umwelt und Wasserwirtschaft mit Umsetzungsmaßnahmen zur Bekämpfung der illegalen, nicht gemeldeten und unregulierten Fischerei StF: *BGBL. II Nr. 382/2009*

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 provide details:

Section 9. Information on trade flows⁴⁶

Please provide information and relevant import figures, 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 2020-2021:

Reconsolidation of trade after COVID 19, beginning in 2022. Since then, imports from Morocco significantly higher, Nr 1 in CCs in 2023 is Morocco (until then: Vietnam).

Also more CC from FAO 87 again in 2023 (10) than in 2022 (4); 0 in 2021 and 7 in 2020.

⁴⁶ Section to be filled-in by all Member States

Section 10. Information on mutual assistance⁴⁷

10.1. Since the last reporting exercise covering the period 2020-2021, how many mutual assistance messages of the Commission (DG MARE B4) has your country replied to?⁴⁸

Please provide separate data for 2022 and 2023 (if any)

2022: 2.

2023: 3

From the numbers above, please specify in how many cases you took action and describe the actions taken.

10.2. Since the last reporting exercise covering the period 2020-2021, has your country sent any mutual assistance message to the Commission/other Member States?

Please provide separate data for 2022 and 2023 (if any)

2022: 3

2023: 3

Section 11. Information on cooperation with third countries⁴⁹

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 provide details (please provide separate data for 2022 and 2023, if any).

.....

Section 12. Information on nationals⁵⁰

12.1. Since the last reporting exercise covering the period 2020-2021, has your country implemented or modified existing measures to ensure that your country can take appropriate action with regards to nationals involved in IUU fishing in accordance with Article 39 of the IUU Regulation?

Yes No

⁴⁷ Section to be filled-in by all Member States

⁴⁸ 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.

⁴⁹ Section to be filled-in by all Member States

⁵⁰ Section to be filled-in by all Member States

If yes, please provide details:

12.2. Have there been any cases of nationals of your country engaging in or supporting IUU fishing, including by engagement on board or as operators or beneficial owners of fishing vessels included in the EU IUU vessel list?

Yes *No*

If yes, please provide details:

12.3. Since the last reporting exercise covering the period 2020-2021, has your country taken any action with regard to its nationals who have been identified as supporting or engaged in IUU fishing?

Yes *No*

If yes, please provide details:

12.4. What measures has your country taken to encourage nationals to notify any information on interests in third country fishing vessels (Article 40(1))?

-

12.5. Has your country endeavoured to obtain information on arrangements between nationals and third countries allowing reflagging of their fishing vessels in accordance with Article 40(4)?

Yes *No*

If yes, please provide details:

12.6. Has your country put in place procedures to ensure that nationals do not sell or export any fishing vessels to operators involved in the operation, management or ownership of fishing vessels included in the EU IUU vessel list (Article 40(2))?

Yes *No*

If yes, please provide details:

12.7. Has your country made use of Article 40(3) and removed public aid under national aid regimes or under EU funds to operators involved in the operation, management or ownership of fishing vessels included in the EU IUU vessel list?

Yes *No*

If yes, please provide details:

| |
|---|
| Section 13. Serious infringements (Chapter IX of the IUU Regulation)⁵¹ |
|---|

13.1. Has your country detected serious infringements as defined in Article 42 of the IUU Regulation from 1 January 2022 until 31 December 2023?

Yes *No*

⁵¹ Section to be filled-in by all Member States

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

| Flag State of the fishing vessel or nationality of the operator (EU and non-EU) ⁵² | Serious infringements detected in 2022: | | | Serious infringements detected in 2023: | | |
|---|---|--------|-------------------|---|--------|-------------------|
| | Number | Nature | Sanctions applied | Number | Nature | Sanctions applied |
| <i>Country 1</i> | | | | | | |
| <i>Country 2</i> | | | | | | |
| ... | | | | | | |
| <i>Country x</i> | | | | | | |
| <i>Total</i> | | | | | | |

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

Yes *No*

If yes, please provide details:

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

Section 14. Sightings (Chapter X of the IUU Regulation)⁵³

14.1. Has your country issued sighting reports from 1 January 2022 until 31 December 2023?

Not applicable for Austria

Yes *No*

If yes, how many sighting reports were issued by your country from 1 January 2022 until 31 December 2023?

| Flag State of the sighted fishing vessel (EU and non-EU) ⁵⁴ | Number of sighting reports issued in 2022 | Number of sighting reports issued in 2023 |
|--|---|---|
| <i>Country 1</i> | | |
| <i>Country 2</i> | | |

⁵² ISO Alpha-2 country codes.

⁵³ Section to be filled-in by all Member States

⁵⁴ ISO Alpha-2 country codes.

| Flag State of the sighted fishing vessel (EU and non-EU) ⁵⁴ | Number of sighting reports issued in 2022 | Number of sighting reports issued in 2023 |
|--|---|---|
| ... | | |
| <i>Country x</i> | | |
| <i>Total</i> | | |

14.2. Since the last reporting exercise covering the period 2020-2021, has your country received any sighting reports for fishing vessels flying its own flag from other competent authorities?

- Yes No

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

.....

Section 15. General

14.1. During the reporting period 2022-2023, what have been the main difficulties that your country has encountered in implementing the IUU Regulation, including the catch certification scheme?

.....

Section 16. Any other comment

- 1.) For the next biennial report, it would be useful for all parties concerned to have the questionnaire much earlier. This concerns mainly data that has to be logged continuously. For example in an excel. It is impossible to re-open files of a two – year period, no one has resources for that. As has been said by several MS in the latest IUU-Meeting. And even if, for some things it would be necessary to simply remember what one has done 2 years ago. This is not possible. Just for you to get a picture: our recent Excel – File has 31 columns with different data. And still, there are some questions we simply can not answer because we needed 5 to 10 more – if we knew that the data would be relevant, of course. Then again, all of this means more work, and it should be carefully considered what is really necessary.
- 2.) We miss opportunities to have real-life exchange with colleagues. EFCA – Trainings **for all MS** had been such an opportunity in the past, before COVID. For example the meeting in Rotterdam in 2018. Why has all of this been cancelled?