

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

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

Member State:	Deutschland
Organisation:	Bundesanstalt für Landwirtschaft und Ernährung
Date:	06.05.2024
Name, position and contact details of responsible official:	<div style="background-color: #cccccc; height: 20px; width: 100%;"></div>

May the Commission provide a copy of this questionnaire to other Member States?	
Yes:	
Yes except for questions (list):	Ja, mit Ausnahme von Anlagen 5.1, 5.4 und Anlage RM
No:	
May the Commission provide a copy of this questionnaire to the European Fisheries Control Agency for a horizontal assessment¹?	
Yes:	
Yes except for questions (list):	Ja, mit Ausnahme von Anlagen 5.1, 5.4 und Anlage RM
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>

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):

.....

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.

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

Die folgende nationale Vorschrift ist angepasst worden: § 13 der Verordnung zur Durchsetzung des Fischereirechts der Europäischen Union (Seefischerei-Bußgeldverordnung)

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 VIII).

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 their headquarters/central authorities);*
- b) *horizontal 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.).*

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

When providing the above requested information, if there were any changes in the administrative organisation since the previous reporting period (2020-2021), please underline those changes.

- a) Bei der Überprüfung von Fangbescheinigungen aus Drittländern und der Ausstellung von Fangbescheinigungen für unter deutscher Flagge fischende Fischereifahrzeuge haben die lokalen Fischereibehörden der Bundesländer keine Zuständigkeit. Dies ist alleinige Zuständigkeit der BLE, wobei die Zolldienststellen eine Mitwirkungspflicht haben. Auch eine Zusammenarbeit mit den Veterinärbehörden besteht (siehe auch Antwort zu b).

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.

- b) Bei der Durchsetzung von Einlaufverboten für Schiffe auf der IUU Schiffliste gibt es eine enge Zusammenarbeit zwischen der Wasser- und Schifffahrtsverwaltung, der Bundespolizei, der Wasserschutzpolizeien der Länder, der BLE und der lokalen Hafenbehörden. In einem Gemeinsamen Lagezentrum werden sämtliche Schiffsbewegungen beobachtet und über die Verkehrsleitzentralen gesteuert. Im Falle der Annäherung eines IUU Schiffes sind die Bundespolizei (in der Ausschließlichen Wirtschaftszone) bzw. die Wasserschutzpolizeien der Länder (innerhalb des Küstenmeeres) in der Lage, Einlaufverbote durchzusetzen.

Im Bereich der Kontrolle der Fangbescheinigungen bei Importen erfolgt eine enge Zusammenarbeit mit den Zolldienststellen und veterinärrechtlichen Grenzkontrollstellen. Dabei stellt der Zoll sicher, dass eine zollrechtliche Abfertigung für den innergemeinschaftlichen Warenverkehr erst dann erfolgt, wenn die BLE zuvor eine risikobasierte Kontrolle der Fangbescheinigung und ggf. Begleitpapiere vorgenommen hat. Außerdem ist die BLE für die Validierung der Fangbescheinigungen für den Export und für die Ausstellung von Re-Exportzertifikaten zuständig. Deutschland hat im 1. Halbjahr 2020 ein neues IUU IT System in Betrieb genommen. Das neue System arbeitet mit einem elektronischen Risikomanagement und weiteren Hilfestellungen bei der Abwicklung der Importkontrollen (z.B. Abschreibung von in den Fangbescheinigungen ausgewiesenen Gewichtsangaben).

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.*

Im Referat 534 der BLE waren im Zeitraum 2022-2023 insgesamt ca. 10 Personen mit der Überprüfung und Ausstellung von Fangbescheinigungen beschäftigt. Die im Bereich Zoll/Veterinär ebenfalls mitwirkenden Personen sind nicht bezifferbar. (Derzeit sind rd. 8.800 Beschäftigte der Zollverwaltung im Tätigkeitsfeld der fachlichen Behandlung von Waren eingesetzt und somit in ihrem Arbeitsbereich unter anderem auch mit Kontrolltätigkeiten im Hinblick auf den Schutz der Fischbestände bei der Ein- und Ausfuhr befasst.)

.....

2.3. 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.

In Deutschland existieren Freizonen/Freihäfen sowie ein Seezollhafen (Hamburg). Allerdings werden in diesen Bereichen keine Fischereierzeugnissen verarbeitet. Eine Liste der Freihäfen/Freizonen ist hier zu finden:

https://www.zoll.de/DE/Fachthemen/Zoelle/Zollverfahren/Freizonenverfahren/Allgemeines/allgemeines_node.html

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

Section 3. Information on access to ports, including for landings and transshipments 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

0

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?

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	-	-	-	-	0
		Number of inspections	10	-	-	-	-	0
		% of inspections / landings	10%	-	-	-	-	0
		Number of infringements	3	-	-	-	-	0

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

⁹ ISO Alpha-2 country codes.

Transhipments	Third country vessels using MS designated ports	Number of transhipments in ports	2	-	-	-	-	0
		Number of inspections	0	-	-	-	-	0
		% of inspections / transhipments	0	-	-	-	-	0
		Number of infringements	0	-	-	-	-	0

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	-	-	-	-	0
		Number of inspections	10	-	-	-	-	0
		% of inspections / landings	10%	-	-	-	-	0
		Number of infringements	3	-	-	-	-	0
Transhipments	Third country vessels using MS designated ports	Number of transhipments in ports	2	-	-	-	-	0
		Number of inspections	2	-	-	-	-	0
		% of inspections / transhipments	100%	-	-	-	-	0
		Number of infringements	0	-	-	-	-	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)

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.

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	...

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:

1. Kontrolle der ersten Anlandung von Drittlands-Fischereifahrzeugen im Kalenderjahr
2. Kontrolle aller Anlandungen von Schwarzem Heilbutt aus dem NAFO-Gebiet
3. Kontrolle von 50 % aller Anlandungen von Schiffen ab 500 BRZ

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.

s. Anhang, Tabellenblatt 4.1.

Hinweis: Zum Zeitpunkt der Fertigstellung dieses Berichts wurden vereinfachte und reguläre Fangbescheinigungen nicht separat gehandhabt. Die hier angegebenen Zahlen enthalten daher beide Arten dieses Dokuments.

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>FS 1</i>				
<i>FS 2</i>				
...				
<i>FS x</i>				
Total				

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.

Notiz: Alle im Jahr 2022 eingereichten RFMO Fangbescheinigungen waren kanadischer Herkunft.

s. auch Anhang, Tabellenblatt 4.2.

RFMO document	2022	2023
<i>ICCAT (electronic)-bluefin tuna catch document</i>	6	6
<i>Dissostichus spp. (CCAMLR)</i>	0	1
<i>CCSBT CDS</i>	0	0
Total	6	7

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

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?

s. Anhang, Tabellenblatt 4.3.

Hinweis: Zum Zeitpunkt der Fertigstellung dieses Berichts wurden vereinfachte und reguläre Fangbescheinigungen nicht separat gehandhabt. Die hier angegebenen Zahlen enthalten daher beide Arten dieses Dokuments.

Flag State (EU)	2022	2023
<i>FS 1</i>		
<i>FS 2</i>		
...		
<i>FS x</i>		
Total		

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

RFMO document	2022	2023
<i>ICCAT (electronic)-bluefin tuna catch document</i>	0	0
<i>Dissostichus spp. (CCAMLR)</i>	0	0
<i>CCSBT CDS</i>	0	0
Total	0	0

4.5. 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.

s. Anhang, Tabellenblatt 4.5.

Hinweis: Aufgrund technischer Einschränkungen stehen die hier angegebenen Werte für die Anzahl der Sendungen, die in einem Drittland nach Artikel 14.2 verarbeitet wurden.

Processing non-EU State²⁴	2022	2023
<i>PS 1</i>		
<i>PS 2</i>		
...		
<i>PS x</i>		
<i>Total</i>		

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.

Keine

²⁴ ISO Alpha-2 country codes.

Non-EU State concerned²⁵ – single transport document	2022	2023
<i>S 1</i>		
<i>S 2</i>		
...		
<i>S x</i>		
<i>Total</i>		

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.

s. Anhang, Tabellenblatt 4.7.

Hinweis: Aufgrund technischer Einschränkungen stehen die hier angegebenen Werte für die Anzahl der Sendungen, die durch ein Dokument nach Artikel 14.1.b.II begleitet wurden, da das selbe Dokument für die Anmeldung mehrerer Sendungen genutzt werden kann.

Non-EU State issuing a document in line with Article 14.1.b.ii²⁶	2022	2023
<i>S 1</i>		
<i>S 2</i>		
...		
<i>S x</i>		
<i>Total</i>		

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)

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*

DE erhebt keine Daten darüber, ob die Ware für ein Transitverfahren bestimmt ist, oder in DE in den zollrechtlich freien Warenverkehr überführt werden soll. Grundsätzlich sollen nur Sendungen für die IUU-Kontrolle in FIKON angemeldet werden, die auch in DE verzollt werden sollen. Es kann aber nicht erhoben werden, ob dies tatsächlich der Fall ist.

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

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.

4.10. 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?

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>China</i>	7	10
<i>Great Britain</i>	0	2
Total	7	12

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)

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 No

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

Yes No

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

²⁸ ISO Alpha-2 country codes.

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)

s. auch Antwort Frage 4.9.

In DE sollen die Sendungen für die IUU-Kontrolle bei der BLE angemeldet werden, die für die Überführung in den zollrechtlich freien Warenverkehr vorgesehen sind. Da die IUU-Kontrolle jedoch zeitlich vor der Verzollung liegt, können auch Sendungen darunter sein, deren Verzollung in einem anderen Mitgliedstaat oder in der Schweiz (die Schweiz akzeptiert Sendungen, die in DE kontrolliert wurden) vorgesehen sind.

Section 5. Information on catch certification scheme for exportation²⁹

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.

s. Anhang, Tabellenblatt 5.1.

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:

s. Anhang, Tabellenblatt 5.2.

Destination State ^{30, 31}	Year	
	2022	2023
Third Country 1		
Third Country 2		
...		
Third Country x		
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)

Hinweis: Soweit möglich wird vor Ausstellung einer Fangbescheinigung ein zollrechtlicher Ausgangsvermerk angefordert, der die tatsächliche Ausfuhr der Ware aus dem Gebiet der EU

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.

belegt. (s. Anlage 5.4). Sollte dies nicht möglich sein, wird alternativ die Vorlage eines "Bill of Landing" eingefordert.

5.5. Has your country refused the validation of a catch certificate between 1 January 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)?

Yes No

If yes, please provide relevant instruction manuals/ guidance documents.

Für die Kontrolle nach Art. 16.1 wird die BLE Fachanwendung „FIKON II“ verwendet. „FIKON II“ arbeitet mit einem integrierten Risikomanagement, welches Anmeldungen nach bestimmten Risikokriterien einstuft. Die Kontrollintensität wird in drei Stufen eingeteilt. Es hat sich in der Praxis bisher herausgestellt, dass auch risikoarme Anmeldungen größtenteils einer Vollkontrolle unterzogen werden. Eine Kernfunktion ist die Möglichkeit der Abschreibung von Fangmengen der Fangbescheinigungen, wodurch verhindert wird, dass eine größere Menge eingeführt wird, als die Fangbescheinigung bereithält. S. auch Anlage RM

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)?

Yes No

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).

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):

s. Anlage RM

If you apply national criteria, please detail them and the methodology used³⁶:

s. Anlage RM

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.

Aus technischen Gründen können momentan keine Auswertungen in Bezug auf die RM-Einstellungen gewonnen werden. Sobald die technischen Fehler bereinigt sind, kann die Antwort nachgereicht werden. In der Anlage RM sind Beispiele der aktuellen RM-Einstellungen im System genannt.

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

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:

s. Anhang, Tabellenblatt 6.9.

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>
Country 1				
Country 2				
...				
Country x				
Total				

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

³⁷ Please provide a complete and accurate description

³⁸ ISO Alpha-2 country codes.

6.10. Please reply to the following questions:

a) How many catch certificates have you verified in the context of the application of Article 17(4)?

stat. nicht erfasst.

b) How many catch certificates have you verified on the basis of risk identified in accordance with Article 17(3)?

s. Anhang, Tabellenblatt 6.9. und Anlage RM

c) How many catch certificates have been verified at random (Article 17(5))?

5% aller nicht risikobehafteten Anmeldungen werden vom System einer Vollkontrolle zugeordnet. In der Praxis werden deutlich mehr risikolose Anmeldungen einer Vollkontrolle unterzogen.

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

Die Warensendungen werden in Zusammenarbeit mit den Veterinär- und Zollämtern kontrolliert.

If yes, please provide details on:

a) *Number of physically examined consignments (per year) and percentage in relation to all verifications made:*

b) *Method of selection of consignments:*

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:*

s. Anhang, Tabellenblatt 7.1.

Hinweis: 2022 brauchten die Ghanaischen Behörden meist eine lange Bearbeitungszeit inklusive Erinnerung für die Beantwortung der Anfragen.

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.

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>Country 1</i>				
<i>Country 2</i>				
...				
<i>Country x</i>				
Total				

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]

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

2022: Es wurden mehrere Reminder verschickt.

2023: Es wurden mehrere Reminder verschickt.

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).

Grundsätzlich wurden alle Anfragen beantwortet.

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.

s. Anhang

Qualität des Feedbacks: Grundsätzlich wurden alle Anfragen beantwortet.

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)?

s. Anhang, Tabellenblatt 7.5.

⁴¹ ISO Alpha-2 country codes.

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.	RU	2		
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.	RU, US	3	NO	1
The catch certificate does not indicate all the required information.				
The importer is not in a position to prove that the fishery products comply with the conditions of Article 14.1 or 2.				
A fishing vessel figuring on the catch certificate as vessel of origin of the catches is included in the 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).	IN	1		

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.

⁴³ Section to be filled-in by all Member States

⁴⁴ ISO Alpha-2 country codes.

⁴⁵ ISO Alpha-2 country codes.

Der Zugang zum zollrechtlich freien Warenverkehr in Deutschland wurde verweigert.

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

Yes No

Not applicable (absence of refusals in 2022-2023)

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:

s. Anhang, Tabellenblatt 9

Im Tabellenblatt 9(1) lässt sich ein Anstieg von Importen von Fängen italienischer, spanischer und französischer Fangschiffe, die auf den Seychellen verarbeitet wurden, erkennen.

Im Tabellenblatt 9(2) lässt sich ein Anstieg von Importen von Fängen russischer Fangschiffe vor der Zolltariferhöhung im Januar 2024 erkennen.

Im Tabellenblatt 9(3) lässt sich ein Rückgang der Importanmeldungen von Fängen senegalesischer Fangschiffe feststellen.

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

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: Es wurden alle Anfragen der Kommission beantwortet.

2023: Es wurden alle Anfragen der Kommission beantwortet.

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

Es wurden die Aktionen durchgeführt, die von der Kommission verlangt wurden.

⁴⁶ Section to be filled-in by all Member States

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.

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: E-Mail-Adressen Neuseeland

2023: Kontaktinformationen Kuba; verdächtiger Brief von russischen Behörden mit Erwähnung von vermeintlich zuständigen Behörden, die nicht in CIRCABC genannt sind; E-Mail-Adressen Russland; Bitte um weitere Investigation nachdem ghanaische Behörden keine AIS-Daten übermittelten

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

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

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:

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

.....None.....

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

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
DE	2	Art. 3 Abs.1 b) VO 1005/08	Bußgeld			

⁵¹ Section to be filled-in by all Member States

⁵² ISO Alpha-2 country codes.

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 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?

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>Germany</i>	95	17
<i>Netherlands</i>	119	16
<i>Total</i>	214	33

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

⁵³ Section to be filled-in by all Member States

⁵⁴ ISO Alpha-2 country codes.

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?

- Es ist nahezu unmöglich, die unzähligen, in den jeweiligen Drittländern geltenden Bewirtschaftungs- und Erhaltungsmaßnahmen zu überprüfen. Hier wäre es hilfreich, wenn die Kommission eine Liste von Punkten erstellen würde, bei denen rechtskräftig nachweisbare Defizite bestehen.
- Ecuadors validierende Behörden benutzen flächendeckend digitale Signaturen. Als überprüfende Instanz hat dies für uns unter anderem den Vorteil, dass es uns technisch möglich ist, diese Signaturen als sichere Zertifikate in der entsprechenden Software zu hinterlegen. Dadurch lässt sich die Gültigkeit und Authentizität der Unterschriften und Dokumenten schnell und einfach belegen. Dieser Vorteil erweist sich allerdings häufig als Nachteil, da die Gültigkeit der digitalen Signaturen zeitlich eingeschränkt ist und die ecuadorianischen Behörden es versäumen, uns rechtzeitig digitale Signaturen mit aktualisierter Gültigkeit zukommen zu lassen. Dies führt zu vermehrten Anfragen unsererseits, da die Gültigkeit der Signaturen in jedem Fall durch uns kontrolliert wird. Derartige Prozesse regelmäßig zu durchlaufen, ist für uns, die dortigen Behörden, aber auch die Wirtschaftsbeteiligten immer wieder mit Mehraufwand und durch den Zeitverlust mit erheblichen Kosten verbunden. Im Zuge dieser Anfragen wird durch die ecuadorianischen Behörden dann gelegentlich darauf verwiesen, dass man die zuständigen Stellen der Europäischen Kommission über die Aktualisierung informiert habe und uns diese Informationen sicherlich bald auch auf diesem Wege zur Verfügung stünden. Im Sinne einer Verringerung von Zeit-, Kosten- und Arbeitsaufwand wäre es folglich für alle Beteiligten wünschenswert, dass die ecuadorianischen Behörden entweder rechtzeitig und in regelmäßigen Abständen ihre aktuell gültigen digitalen Signaturen übermitteln oder alternativ ein gemeinsames Stammzertifikat verwenden, welches wir uns ebenfalls hinterlegen könnten. Letzteres wäre mit einem geringeren Arbeitsaufwand verbunden, da in diesem Falle auch nur dieses Zertifikat regelmäßig in seiner Gültigkeit aktualisiert werden müsste.
- Des Weiteren ergaben sich Probleme in der Verifizierung von südafrikanischen Fangbescheinigungen. Diese werden elektronisch verifiziert, ein Abgleich mit der angegebenen Datenbank ist allerdings nicht möglich, da hierfür Login-Daten benötigt werden. Trotz mehrerer Anfragen unsererseits (zuletzt im November 2023) haben wir bisher keinen passwortgeschützten Zugang zu der südafrikanischen Datenbank oder eine andere Antwort diesbezüglich erhalten. Zu betonen ist, dass wir seit längere Zeit keinerlei Antwort aus ZA erhalten. Die KOM wurde darüber bereits informiert.

Section 16. Any other comment

.....

.....

.....

• • •