

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

**Member State:** Grand-Duchy of Luxembourg

**Organisation:** Administration des Services Vétérinaires  
67, rue Verte  
L – 2667 Luxembourg

**Date:** 05/06/2014

**Name, position and contact details of responsible official:**

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**May the Commission provide a copy of this questionnaire to other Member States?**

**Yes:**

### Section 1: Legal framework

1.1 Has your country transposed into national law or issued any administrative guides for the application of Council Regulation (EC) No 1005/2008 on illegal, unreported and unregulated fishing (IUU Regulation)?

**YES No legislation yet. Administrative procedure on customs co-operation on the way**  
If yes, please detail and provide copies.

**Administrative procedure on co-operation of customs with veterinary administration**  
**Guide for importers.** Both documents are not officially accepted yet, so no copies possible for the moment

### Section 2: Administrative Organisation

2.1 How has your country organised its services to deal with the implementation of the IUU Regulation (verification of catch certificates, validation of catch certificates for own vessels, etc.)?

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

**b) co-operation with other authorities** and allocation of tasks for various authorities in the implementation of the IUU Regulation (Health, **Customs**, Navy, etc.);

c) how many persons are involved in the implementation of the catch certificate?

If different, please distinguish between direct landings of 3<sup>rd</sup> country fishing vessels and other imports (processed products)

**Only import - 2 persons concerned at veterinary administration & customs**

2.2 Do the authorities of your country have the possibility to audit/verify a company for the purposes laid down in the IUU Regulation?

**Yes. Only importing companies.**

If yes, have they undertaken such audits/verifications yet? Please detail.

**No**

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

**No**

**Section 3: Direct landings of third country fishing vessels** (only applicable if designated ports)

**Not applicable for Luxembourg**

**Section 4: Port inspections in accordance with Section 2 of the IUU Regulation**

**Not applicable for Luxembourg**

**No designated ports**

**Section 5: Catch certification scheme for importation**

*Please state your notified authorities under articles 17.8 and 21.3:*

**Administration des Services Vétérinaires**

**67, rue Verte**

**L – 2670 Luxembourg**

5.1 How many catch certificates were presented to the authorities of your country from 1 January 2012 until 31 December 2013 ?

**6**

If possible, please provide details per flag State.

<b>Flag State \ Year</b>	<b>2012</b>	<b>2013</b>
<b>Iceland</b>	<b>75946</b>	
	<b>80051</b>	
	<b>81150</b>	
<b>Iceland</b>		<b>82769</b>
		<b>109775</b>
		<b>110453</b>
<b>Total</b>	<b>3</b>	<b>3</b>

5.2 From the number above, how many recognised RFMO catch certificates accompanied imports into your country? Please detail per type of RFMO certificate and year.

**None**

<b>RFMO \ Year</b>	<b>2012</b>	<b>2013</b>
ICCAT BFT	/	/
Dissostichus spp. (CCAMLR)	/	/
CCSBT CDS	/	/

5.3 How many processing statements under Article 14.2 accompanied imports into your country?

**None**

5.4 Please explain if the information in processing statements referring to the corresponding catch certificates is retained and recorded.

**Not applicable until now. Is foreseen**

5.5 How many requests to authorise APEOs have you received and how many APEOs have you authorised?

**None**

5.6 Please explain briefly the administrative rules referring to the management and control of APEO.

**None existing as not applicable until now**

5.7 How many re-export certificates were validated by your country for imported products from 1 January 2012 until 31 December 2013? Please detail per year and, if possible, per destination country.

**None**

5.8 Do you monitor if the catches for which you validated a re-export certificate actually leave the EU?

**Not applicable. Would be possible to achieve**

5.9 Has your country established any IT tools to monitor the catch certificates and processing statements accompanying imports? Does it include a module for re-exportation of imported catches?

**YES NO**

If yes, please detail

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

**For 3d countries all control is done at the point of entry**

**For EEC countries, physical check may be done at point of destination if entry is not via Luxembourg BIP.**

Luxembourg is a small country, it will be the same people doing the checks, whether at entry point or at destination

#### **Section 6: Catch certification scheme for exportation**

**Not applicable**

**No export under Catch certification scheme until now**

#### **Section 7: Verifications of catch certificates for importation**

7.1 Has your country established a procedure for verification of catch certificates for importation?

**YES\_ NO**

If yes, please detail

7.2 How many catch certificates have been verified from 1 January 2012 until 31 December 2013?

**None**

7.3 Does your country use a risk assessment approach for verification of catch certificates?

**YES NO**

If yes, please detail.

**Until now risk assessment is done following Art.17/4 and 17/5 and over Mutual assistance information or DG Mare notifications**

7.4 Does your country also physically verify the consignments?

**YES NO**

If yes, please detail (reason, method of selection, number, etc.).

**For 3d countries average control is done in the BIP import health control scheme: fixed %-age of controls do be done following requirements of EU directive 97/78**

**Further control is done on suspicion**

**For EEC countries average checks are done , at least 1 per country per year as long as no increase in trade.**

#### **Section 8: Verification requests to flag States**

8.1 How many requests for verifications have been sent to third country authorities?

**None**

What were the main reasons for these requests? Please specify by using the reasons provided in articles 17.4 and 17.6 of the IUU Regulation.

8.2 How many requests for verification were not replied to by the third country authorities within the deadline provided in article 17.6 of the IUU Regulation? Does your country in these situations send a reminder to the third country authorities?

**Procedure would be to send reminder after 2 weeks**

8.3. Was the quality of the answers provided overall sufficient and satisfactory enough to satisfy the request?

**Not applicable**

### Section 9: Refusal of Importations

9.1 Has your country refused any imports from 1 January 2012 until 31 December 2013?

**No**

If yes, please provide details in the table below:

Reason for refusal of importation	2012		2013	
	Flag State	No.	Flag State	No.

9.2 If the answer to 9.1 is yes, what did your country do with the fishery products?

/

9.3 In case of refusal of importation, did the operators contest the decision of the authorities of your country?

**Not applicable**

If yes, please detail.

### Section 10: Trade flows

10.1 Did you note a change of imports of fishery products since the introduction of the IUU regulation? Please provide information, deriving from your statistical data, concerning change of trade patterns in imports into your country of fishery products.

**No change**

### Section 11: Mutual Assistance

11.1 How many mutual assistance messages of the Commission has your country replied to?

**None**

11.2 Has your country sent any mutual assistance message to the Commission/other Member States?

~~YES~~ **NO**

If yes, please detail.

### Section 12: Nationals

*Please state your notified authorities under Article 39.4:*

**For importers and traders in fishery products: Administration des Services Vétérinaires  
For fishing vessels and operators : not applicable until now**

12.1 What measures has your country implemented since 1 January 2012 or already had in place on 1 January 2012 to ensure that your country can take appropriate action with regards to nationals involved in IUU fishing?

**No fishing vessels registered under Luxembourg flag.**

**No information about any national being involved in commercial fisheries**

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

**not applicable**

12.3 Has your country endeavoured to obtain information on arrangements between nationals and third countries allowing reflagging of their vessels? If yes, please list of vessels.

**No arrangements existing**

### **Section 13: Infringements (Chapter IX of the IUU Regulation) and Sightings (Chapter X of the IUU Regulation)**

~~13.1 How many infringements did your country record from 1 January 2010 until 31 December 2011?~~

**Not applicable for Luxembourg, no fishing fleet**

~~Please detail.~~

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

13.3 How many sighting reports were issued by your country from 1 January 2012 until 31 December 2013 ?

**None**

Please detail.

~~13.4 Has your country received any sighting reports for its own vessels from other competent authorities?~~

~~YES NO~~

~~If yes, please detail.~~

### **14. General**

14.1 What have been the main difficulties that you have encountered in implementing the catch certification scheme?

**Relating quantity of initial catch to quantity of processed fish imported**

**Controlling for catch certification if introduction of personal consignment**

14.2 What changes would you suggest to the regulation that would make implementation smoother?

**EU Database where all the catch certs used on import are listed, with the quantity imported and eventual Annex IV thereof**

**Or database where the refused CC can be consulted**

**Derogation for catch certificate for personal consignments as allowed in regl EU 206/2009**

### **15. Any other comments**