

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

Member State:	The Netherlands
Organisation:	NVWA, Netherlands Food and Consumer Product Safety Authority
Date:	26-04-2016
Name, position and contact details of responsible official:	Cristina Ruiz Espinosa, Senior Inspector Fisheries. Tel. (+31) 615036263 c.ruizespinosa@nvwa.nl or iuu-slo@nvwa.nl

May the Commission provide a copy of this questionnaire to other Member States?	
No	

Section 1: Legal framework

Since the last reporting exercise in 2014, has your country modified national law or any administrative guides for the application of Council Regulation (EC) No 1005/2008 on illegal, unreported and unregulated fishing (IUU Regulation)?

We have not modified any national law.

Yes. We did start a new procedure for shrimp export. (see procedure. DZH-31-WI_ IUU Export van door NL vaartuigen gevangen garnalen.Vs.0.3)



DZH-31-WI_ IUU
Export van door NL v

Concerning importation we have started a new procedure in cooperation with our veterinarian division. (Health Border Inspection Post).



DZH-32
Samenwerking NVWA

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);
Not applicable.
- b) co-operation with other authorities and allocation of tasks for various authorities in the implementation of the IUU Regulation (Health, Customs, Coast Guard, Navy, etc.);
- Customs are the first responsible for the checking (presence and content) of CC's of fishery products that are imported into the Netherlands. After the CC's and other documents are checked, goods are released by Customs and the documents (CC, transport document, etc.) are sent to the NVWA, Single Liaison Office (SLO), section IUU located in Cent. If Customs has doubts/questions about a transport, Health BIP and also the single liaisons office of the SLO/IUU is contacted. Further verification is then done by the SLO. When they approve Health BIP, and later Customs will be notified and the goods will be released.
 - Health certificates are also checked by Customs and during the Physical Inspection by the Border Inspection Post (NVWA, Food Authority)
 - All CC's and other IUU related documents are archived at the NVWA, SLO, section IUU located in Echt.
 - Re-export documents are formatted and validated by the Single Liaison Office SLO/IUU.
 - Direct landings of third country vessels are inspected in the harbour by Inspectors of the NVWA (fishery products and accompanying documents)
After the CC's and other documents are checked, documents (CC, transportdocument, etc) are sent to the NVWA Fishing SLO/IUU located in Echt.
 - CC's for our own vessels are validated by the liaisons office SLO/IUU located in Echt.
 - Validation of CC's for shrimps was done by the Product Organisation (Pvis). Since October 2015 the validation of CC's for shrimps is done according the procedure mentioned by point 1.
- c) how many persons are involved in the implementation of the catch certificate?

About Fifteen (15) persons.

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

Not applicable

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? If yes, which audits/verifications have they undertaken since the last reporting exercise in 2014? 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)

Please list your country's designated ports.

Vlissingen, Scheveningen, IJmuiden/Velsen, Harlingen, Eemshaven.
Den Helder (removed in 2016).

3.1 How many landings and transhipments of third country vessels have been recorded by your country between 1 January 2014 until 31 December 2015?

Port name*	No. of landings	Comments	No. of transhipments	Comments
Velsen	213	(NAFO, NEAFC, ICCAT)		
IJmuiden	3	(NAFO, NEAFC, ICCAT)		
Eemshaven	23	(NAFO, NEAFC, ICCAT)		
Harlingen	2	(NAFO, NEAFC, ICCAT)		
Vlissingen	0	(NAFO, NEAFC, ICCAT)		
Den Helder	1	(NAFO, NEAFC, ICCAT)		
Total	242	--		--

** If the port is designated also for an RFMO, please indicate which RFMO in brackets.*

3.2 Approximately, what percentage of the third country fishing vessel landings arrives in transit in your country

About 90% arrives in transit.

3.3 Has your country had any problems with third country fishing vessels when implementing Articles 6 (prior notice) and 7 (authorisation) of the IUU Regulation?

No

If yes, please detail: **Not applicable**

- a) in which ports;
- b) the nature of problem;

c) vessel details (name, flag, master, etc.).

3.4 Since January 2014, has your country refused access to its port services to a fishing vessel for activities of landing or transshipment of fishery products? Was this refusal based on the conditions of the IUU Regulation?

No

If yes, please detail: **Not applicable**

- a) in which ports;
- b) the nature of problem;
- c) vessel details (name, flag, master, etc.).

3.5 Do third country fishing vessels accessing your country's ports use the templates for prior notifications and pre-landing/pre-transshipment provided by the Implementing Regulation 1010/2009 or those used in RFMOs? Please detail, when RFMO forms are used.

Only templates provided by the 1010/2009.

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

4.1 Between 1 January 2014 and 31 December 2015, how many fishing vessels of third countries had access to the designated ports for landing or transshipment of fishery products?

118 vessels.

4.2 How many fishing vessels were inspected between 1 January 2014 and 31 December 2015?

Reason for inspection :	Flag State
Sighted at sea in activities that may be considered illegal, unreported and unregulated	none
Based on the EU IUU vessel list	none
Other (please detail)	See point 4.3

4.3 In accordance with Article 9.1, has your country carried out inspections in its designated ports of at least 5% of landing and transshipment operations by third country fishing vessels each year?

Inspections 2014:

Percentage	14,29	Landings	8
Percentage	21,92	Donor vessels	64

Inspections 2015:

Percentage	14,52	Landings	9
Percentage	12,89	Donor vessels	41

4.4 Does your country use risk assessment criteria for the port inspections?

Yes.

Third country fishing vessels landing in the NL are mainly Russian flagged vessels landing whitefish caught in the Barents Sea, they have been doing us for many years and during the course of time NL has invested in creating a strong information position on this fleet and its patterns. NL shares data with Russia and shares risk-analyses with Norway. Dutch authorities also work together with the cold stores storing the fish and receive market information from them. Also, the vessels are tracked via AIS. On the basis of the combination of these data sources, vessels are targeted for inspection in port.

4.5 Has your country detected any infringements between 1 January 2014 and 31 December 2015? If yes,

No

- how many and of what nature? Please specify. *Not applicable*
- did your country apply the procedure in case of infringements as foreseen in Article 11? *Not applicable*

Section 5: Catch certification scheme for importation for the purpose of the IUU Regulation¹

Please state your country's notified authorities under Articles 17.8 and 21.3.

NVWA. Netherlands Food and Consumer Product Safety Authority

5.1 How many catch certificates were presented to the authorities of your country from 1 January 2014 until 31 December 2015?

If possible, please provide details per flag State (FS).

Flag State \ Year	2014	2015
Argentina	67	239
Australia	32	35

¹ Article 2.11 of the IUU Regulation – "importation means the introduction of fishery products into the territory of the Union, including for transshipment purposes at ports in its territory"

Flag State \ Year	2014	2015
Bangladesh	0	1
Brazilia	42	48
Canada	392	367
Chile	13	17
China	1.287	1483
Colombia	3	0
Ecuador	313	401
Falklands	17	0
Faroer	798	549
Fiji	11	37
Gambia	51	100
Ghana	82	66
Greenland	67	69
Guyana	38	15
Iceland	2422	3142
India	216	672
Indonesia	714	502
Korea	32	65
Madagascar	80	11
Maldives	346	1312
Marocco	283	313
Mauretania	0	1
Mauritius	0	11
Mexico	28	27
Mozambique	0	17
Myanmar	0	8

Flag State \ Year	2014	2015
Namibia	134	155
Nicaragua	23	40
New Zealand	53	46
Nigeria	98	123
Norway	9	2
Oman	4	17
Pakistan	4	1
Panama	27	26
Papua New Guina	9	5
Peru	39	107
Philippinus	445	715
Russia	20	291
Senegal	57	181
Seychelles	33	29
Sri Lanka	2321	55
Suriname	1165	1854
Taiwan	36	28
Tanzania	1	4
Thailand	501	487
Tristan da Cunha	0	5
Turkey	3	1
USA	1177	1373
Vietnam	406	528
Yemen	1	0
South Afrika	272	582
	0	0

Flag State \ Year	2014	2015
Totaal	14172	16163

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.

RFMO \ Year	2014	2015
ICCAT BFT	0	0
Dissostichus spp. (CCAMLR)	8	6
CCSBT CDS	0	0
Total	8	6

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

If possible, please provide details per year and per processing country.

Processing State \ Year	2014	2015
Bangladesh	0	2
Canada	5	1
China	1275	1169
Ecuador	165	192
Faroer	121	111
Ghana	87	141
Iceland	66	75
India	1	0
Indonesia	3	6
Japan	13	14
Cape Verde	1	0
Korea	41	58
Madagaskar	40	0
Macau	1	0
Malaysia	2	4
Marocco	0	17
Mauritius	567	1241
Namibia	3	272
New Sealand	2	5
Norway	4	14
Panama	0	10
Papua New Guinea	184	131
Philippinus	7	49
Russia	0	1

Processing State \ Year	2014	2015
Senegal	1	1
Seychelles	117	165
Singapore	6	45
Sri Lanka	9	504
Suriname	363	463
Taiwan	15	18
Thailand	481	802
Turkey	6	1
USA	12	26
Vietnam	47	59
South Africa	0	5
Total	3645	5602

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

Yes, all is archived at the NVWA in Echt.

5.5 How many requests to authorise APEO²s has your country received and how many APEOs have been authorised?

None

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

Not applicable

5.7 How many re-export certificates were validated by your country for imported products from 1 January 2014 until 31 December 2015? Please detail per year and, if possible, per destination country.

Destination State	Year	
	2014	2015
Re-export		
Fiji	12	0
Dubai	0	1
Marocco	0	2
Peru	0	1
Turkey	0	2
Total	12	6

² Approved Economic Operators – IUU Regulation, Article 16 and Implementing Regulation (EC) 1010/2009, Chapter II

5.8 Does your country monitor if the catches for which your country has validated a re-export certificate actually leave the EU?

Customs has (administrative) internal procedures for export and re-export. Customs controls this.

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

Yes, we have developed a new IT system to registration and analyse the catch certificates and processing statements information. The Catch Certificates Registrations System (CCRS)

Does it include a module for re-exportation of imported catches?

No

5.10 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.

Section 6: Catch certification scheme for exportation

Please state your notified authorities under Article 15.2.

NVWA. Netherlands Food and Consumer Product Safety Authority.

6.1 Has your country established a procedure for validation of catch certificates for exportation of catches from own vessels?

If yes, please explain briefly the established procedure and answer questions 6.2 to 6.5.

Yes, for shrips we have procedure “DZH-31-WI_ IUU Export van door NL vaartuigen gevangen garnalen.Vs.0.3.” (see Section 1).

For other fish species we have procedure. “DZH-24- Export van door NLD vaartuigen gevangen visserijproducten.”



DZH-24 WI_ Export
van door NL vaartuig

6.2 How many catch certificates did your country validate from 1 January 2014 to 31 December 2015? If possible, please provide details per requesting country/country of destination in the following table.

Destination State	IUU Regulation (Art. 14.2 / Art. 15)	Year	
		2014	2015
Benin		0	12
China		3	33
Italy		0	1
Kroatia		1	1
Malaysia		0	5
Marocco		3	17
Marocco (shrimps)		9215	9378
Norway		16	4
Oekraine		0	3
Spain		5	18
Thailand		0	3
Turkey		0	1
United Kingdom		2	0
Total	--	9245	9476

6.3 Has your country established any IT tool to monitor the catch certificates validated for exports stemming from own vessels?

If yes, please detail.

Yes, we have an internal Digital stock and CC system (Excel). For shrimps, we have since October 2015 a IT system developed. This system is going to be implemented this year for other species.

6.4 Does your country monitor that the catches for which your country has validated Catch Certificates actually leave the EU?

If yes, please detail.

Yes. See point 5.8

6.5 Has your country refused the validation of a catch certificate between 1 January 2014 and 31 December 2015?

No

Section 7: Verifications of catch certificates for importation

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

Yes.



DZH-26 WI_
Verificatie vangstcert

7.2 How many catch certificates have been verified from 1 January 2014 until 31 December 2015?

2014 - 507 verifications

2015 - 222 verifications

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

If yes, please detail.

Yes, we have developed a new risk analyse tool. This tool is linked to the Catch Certificates Registrations System (CCRS).



Beschrijving
risicoanalysetool.doc

7.4 Does your country also physically verify the consignments?

Not structurally, only if necessary.

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

Section 8: Verification requests to flag States

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

2014 - 312 requests to flag States

2015 - 199 requests to flag States

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.

- Alert notice published pursuant to Article 23(1).
- Well-founded doubts as to the validity of the certificate, of the statements contained therein and/or the compliance of the products with conservation and management measures.
- Grounds to question the authenticity of the catch certificate itself, of the validation seal or of the signature of the relevant authority of the flag State

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?

2014 - 2
2015 - 1

Does your country in these situations send a reminder to the third country authorities?

Yes

8.3 Was the quality of the answers provided overall sufficient to satisfy the request?

Yes

Section 9: Refusal of Importations

9.1 Has your country refused any imports from 1 January 2014 until 31 December 2015?

Reason for refusal of importation	2014		2015	
	Flag State	No.	Flag State	No.
Non-submission of a catch certificate for products to be imported.	None		None	
The products intended for importation are not the same as those mentioned in the catch certificate.	None		None	
The catch certificate is not validated by the notified public authority of the flag State	None		None	
The catch certificate does not indicate all the required information.	None		None	
The importer is not in a position to prove that the fishery products comply with the conditions of Article 14.1 or 2.	None		False CC Spain Annex IV Namibia	1
A fishing vessel figuring on the catch certificate as vessel of origin of the catches is included in the Community IUU vessel list or in the IUU vessel lists referred to in Article 30.	None		None	
Further to the request for verification (Article 18.2)	None		None	

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

The fishery products are destroyed.

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

If yes, please detail.

No

Section 10: Trade flows

Did your country note a change of imports of fishery products since the last reporting exercise in 2014? Please provide information, deriving from your country's statistical data, concerning change of trade patterns in imports of fishery products into your country.

No

Section 11: Mutual Assistance

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

We have replied to all messages we have received.
112 in 2014 and 147 in 2015

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

We have sent 37 mutual assistance messages to the Commission/other Member States
24 in 2014 and 13 in 2015.

Section 12: Cooperation with third countries

Apart from verifications and refusals under Articles 17 and 18, has your country had information exchange with third countries on issues related to the implementation of the IUU Regulation, such as follow-up of cases concerning nationals, consignments, trade flows, operators, private fishing licencing, as well as the investigation of criminal activities and serious infringements (Article 42).

No, we have not.

Section 13: Nationals

Please state your country's notified authorities under Article 39.4.

NVWA. Netherlands Food and Consumer Product Safety Authority

13.1 Since the last reporting exercise in 2014, 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?

National regulations and consultation with the Justice Department.

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

Public general information about illegal fisheries in third countries.

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

No

13.4 If yes to any of the above, how many cases has your country dealt with and which administrative or penal follow-up was given?

None

13.5 Has your country made use of Article 40.3 and removed public aid under national aid regimes or under Union funds to operators involved in the operation, management or ownership of fishing vessels included in the Union IUU vessel list? If yes, please detail.

No

Section 14: Infringements (Chapter IX of the IUU Regulation) and Sightings (Chapter X of the IUU Regulation)

14.1 How many infringements did your country record from 1 January 2014 until 31 December 2015? Please detail.

None

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

Yes, our intervention policy according Article 44.

14.3 How many sighting reports were issued by your country from 1 January 2014 until 31 December 2015?

Please detail.

None

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

If yes, please detail.

None

Section 15: General

15.1 What have been the main difficulties that your country has encountered in implementing the catch certification scheme?

Coordinating and organising the workflow and logistics between a multiple number of authorities/teams that are involved in the implementation.

15.2 What improvements would your country suggest to the Regulation that would make implementation smoother?

- One European Electronic Catch Document system
- One European Risk analysis and alert system.
- Recognition of the NEAFC PSC system under the IUU regulation, as the PSC documents contain nearly the same information as the Catch Certificates and are also validated by the competent authority of the Flag state. This will imply that in those cases where the PSC document is applicable, this replaces the IUU CC.

Section 16: Any other comments

Thank you for your cooperation!