COMMISSION OF THE EUROPEAN COMMUNITIES

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MONITORING THE COMMON FISHERIES POLICY

- COMMISSION REPORT -

CONTENTS

I. INTRODUCTION

This report is made in response to a formal obligation (Article 35 of Council Regulation (EEC) No 2847/93) and to an overriding need for transparency.

The report is the first exercise of its kind, surveying monitoring activities in 1994. It accordingly suffers from the defects attendant on any new production. There are many gaps in the information passed to the Commission by the Member States. It is indispensable nonetheless to take stock of the situation as regards the areas covered by the new control Regulation adopted in 1993. On the conservation side a fairly detailed picture can be drawn, but as regards extension to other aspects of the common fisheries policy initial findings only are possible.

Fisheries monitoring in third-country waters and the NAFO framework is not covered. This is a subject of crucial importance given both the economic scale of the fisheries concerned and the political stakes in the international arena. It absorbs considerable resources of both the Commission and the Member States, and the NAFO fisheries for example are the best monitored of those exploited by Community vessels. These matters are moreover being discussed in the relevant forums (NAFO, Moroccan negotiations). Nor is any mention made, with some exceptions, of the content of the very recent report on the Community's contributions towards expenditure on monitoring (COM(95) 243 final of 9 June 1995).

The body of the report presents a general survey. Annex I contains a report on each Member State and Annex II statistics. Annex III deals with satellite monitoring.

II. RESOURCES AVAILABLE AND DEPLOYED

1. RESOURCES AVAILABLE FOR CONTROL WORK

The resources available in the Member States are summarized in Table 1. Direct comparisons are not, however, possible.

The organisation of monitoring, control and surveillance differs considerably from one Member State to another. Some Member States have a single competent authority for fisheries control, others call on several government departments which also have tasks not related to fisheries, or even to the maritime field. This is further illustrated in Table 2. Furthermore, in some countries, competence is shared between national and regional governments.

This results in a broad range of organisation types, varying from a comparatively well-organised service using qualified staff in one Member State to a poorly coordinated set of national and regional departments with non-specialised personnel in another Member State.

The number of inspectors in each port differs substantially from one Member State to another. For some countries there are several inspectors in each fishing port, whilst in others one fisheries inspector is in charge of several ports. The low level of human resources in some Member States raises doubts as to whether the control regime applicable to the common fisheries policy is applied there. Several Member States have insufficient specialised equipment to meet their monitoring obligations, even if some of them have used Community financing to upgrade their resources during the past five years. A small number of Member States even have no airborne surveillance, which considerably reduces the efficiency of inspections at sea.

2. INSPECTION AND MONITORING OF FISHING VESSELS AND THEIR ACTIVITIES

Most Member States have indicated figures corresponding to the inspection activities. These numbers are, however, difficult to compare because the quality of the inspections has not been specified consistently. Table 3 shows the number of port inspections and the number of inspections offshore. This is compared with the total size of the vessels in the fleet.

The Table clearly shows that there are very big differences in the level of inspection between the various Member States. One reason for the differences can be attributed to the definition of an inspection: from a simple sighting to a detailed inspection.

The Regulation also provides for the possibility to control transport of fish on land (Reg. (EEC) No 2847/93, Article 13). All transports on land must be accompanied by transport documents which describe the origin of the consignment, the content of the transport as well as the destination and the transport vehicle, the consignee and the place and date of loading. The control of these transports can be used to ensure that fish destined for destruction are not re-sold, undersized fish are not exported and sold in other countries hiding their origin, as well as the hygienic aspect that the fish should be chilled or frozen during transport so that the quality is not reduced dramatically.

The reports from UK, Ireland, and Denmark say that transports are randomly checked but no numbers are supplied. In Denmark the checks involve not only the fishing authorities but also the police. Belgium makes no explicit remarks about this subject but the imports - at least - seem to be monitored closely. There is no information in the Portuguese and French reports. The author of the German report states that he sees no point in controlling transport on land.

An essential aspect of the inspection and monitoring of fishing vessels is the coordination between Member States. Most reports do not mention this point. The only exceptions are the UK report, where it is said that some agreements exist, and the Belgian report, which mentions that there is regular data exchange with Denmark (via modem), the Netherlands and the UK. The Danish, Irish, Portuguese, German, and French reports have no information on this point.

However, some Member States (Denmark, Ireland and the United Kingdom) have bilateral agreements with Norway.

It would be very disappointing if no more agreements existed. It is, however, impossible at the moment to get an overview of the number of bilateral agreements and their coverage (types of data exchanged, how regular, method of exchange, etc.).

Generally, all Member States have stressed, during the annual monitoring meetings of the *Expert Group Fisheries Control* (which is made up of representatives of the Member States and the Commission who are responsible for the control matters of the CFP), the need for more and better coordination and cooperation. The Commission has offered its support but experience shows that practical consequences are still limited.

III. IMPLEMENTATION OF THE CONSERVATION POLICY

1. CATCH REGISTRATION, ESTIMATION AND VALIDATION IN THE MEMBER STATES

The monitoring of catches is based on logbooks, landing declarations, and sales notes. Some member countries have chosen to combine either the logbook and the landing declaration or the landing declaration and the sales note into one document. Derogations exist for certain categories of vessel, in which case the catches must be estimated through sampling.

The number of returned documents seems in general to be high even though this may reflect different interpretations of what is meant by returned (see Table 4). None of the reports describe either possible problems with incomplete documents or the time taken for documents to be returned to the authorities, with the exception of the Danish report.

The next step after the collection of data is to detect missing information. This is usually combined with some cross-validation of the different sources.

There are large differences in the approach to and effectiveness of data collection and verification - even though the official reports always try to present the existing systems in a positive light. It is also evident that all Member States could benefit from the experience of other Member States in refining their own systems.

Two specific problems for most countries are landings outside auctions and how to estimate the catches made by vessels which are not obliged to use a logbook. These problems are far from being solved satisfactorily in all countries (see Table 5).

Checks at sea allow some comparison of logbook entries with direct observation. Inspection at sea is an important aspect of the work of control agencies but the proportion of this devoted to direct validation of logbooks cannot be specified from the national reports.

Combining the information in logbooks with the information in landing declarations/sales notes should offer a systematic validation procedure.

From the reports it seems that only Belgium, Denmark, Germany and the Netherlands regularly combine these information sources to improve the quality of data (see Table 6). This point is not mentioned in the rest of the reports. Nor does there seem to be any systematic use of other sources of information downstream of first sale.

2. MONITORING OF OBSERVANCE OF RESTRICTIONS OTHER THAN ON CATCH VOLUME

The difficulties involved here, pointed out in a Commission communication reviewing these technical measures, are analysed in detail in a Commission working paper.

Observance of zonal restrictions is the easiest of these measures to monitor, at least if the area in question is sufficiently close to the coast to be easily patrolled. A check by an aircraft suffices to confirm fishing activity in a prohibited zone.

Checking observance of the rules on fishing gear (length of nets, number of hooks, mesh sizes) is particularly difficult. It can be backed up by inspection on land but inspection at sea is indispensable, even more so given the absence of rules of the "single net" type. One of the most difficult things to check is respect for catch composition rules imposed when waivers are granted on mesh sizes. Ensuring that size minima are complied with is at first sight less difficult but where trading channels exist, firm determination is required with a strategy combining inspection at sea, on landing, after first sale and if possible on consignment.

Where problems are most serious (English Channel and Region 3), none of the Member States concerned has applied or even defined such a strategy.

3. OVERALL ASSESSMENT

The reports of the working groups covering the various stocks permit detailed analysis of the size and trend of the misreporting problem. The overall gravity of the situation has recently been stressed by ICES experts[1]. An earlier Commission report[(2)] summarises estimates of the amount of this for key stocks. Reference may also be made to a recent article by G. Biais (1995)[(3)] for a wide overview that compares the misreporting problem with that of discards, with which there is often a connection. Table 7 is adapted from the conclusions of that article.

Small pelagic species. The proportion of catches not declared is considerable and has shown no tendency to improve since introduction of the CFP. One of the biggest problems is misreporting of species (confusion of mackerel and horse mackerel, herring and sprat) or catch zone.

On landing, inspections targeted at catch composition would be more useful if concentrated on a relatively small number of ports. These catches are primarily intended for processing, which for control purposes gives a much more favourable situation than for high value species, where the multiplicity of landing points and shortness of the distribution periods seriously complicate the work of monitoring services. However, economic integration of producers and processors and direct-sales contracts allowing markets to be by-passed can also make a specific control plan for pelagics necessary.

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[1] Report of the Statistics Committee Liaison Working Group (ICES CM 1995/D:1)

[(2)] See Annex 2 to COM(95) 243 final.

[(3)] G. Biais: An evaluation of the policy of fishery resource management by TACs in European Community waters from 1983 to 1992. Aquat. Living Resources, 1995, 8, N° 3, 201-288.

As for the geographical origin of catches, analysis of logbooks ought to be able to show up inconsistencies. Combination of this with controls at sea and continuous monitoring (by satellite) is however the only way to tackle the problem really effectively.

The problem of discards used to be almost negligible when set against the volume of pelagic catches but is growing and - a serious development - is centring on specific fisheries where on-board sorting results in retention of only a fraction of the catch, e.g. herring fisheries targeted on the sale of roes.

Demersal fisheries

- In the Community's central and southern Atlantic waters misreporting is limited, as are discards. The reasons for this favourable impression are not, however, necessarily that conservation principles are being observed. Many TACs in this zone are precautionary and set at levels imposing no real quota constraints on Member States, barring some specific difficulties over allocation (anchovy for France, northern hake and monkfish for Spain, megrim or southern hake for Portugal, etc.). The lower proportion of discards compared with the North Sea is partly explained by the fact that southern markets see catches of species not valued and sometimes discarded in the north, and of small fish, even undersized ones. Ready acceptance of the latter means that control problems are more of non-compliance with technical measures than of quota overruns.

- Further north, on the Atlantic coast, catch misreporting problems become more serious. In general terms they remain limited by the existence of numerous precautionary TACs, set at a level often still too high to impose constraints on Member States or guarantee effective conservation. The overall figure for 1994 in Table 7 is however misleading in this regard; for western Scotland the scientific conclusions have had to be adjusted to take account of under-declarations of roundfish catches, as described in detail in the ICES report mentioned above. The discard problem is also greater than in the south but without any distinct trend.

- In the North Sea and adjacent sectors (see Table 7), the under-reporting problem is particularly acute and has worsened, particularly for roundfish. This stems from a problem to which attention was drawn in a previous report (COM(95) 243 final). In line with the scientific recommendations, which have been more readily followed given that the situation for certain stocks is now recognized to be very serious, TACs in the North Sea have in the last few years been set at levels corresponding to strongly reduced exploitation rates. But fishing efforts have not been reduced: the Commission has not been followed when it has proposed substantial capacity reductions and considerable direct restrictions of fishing time. All conditions come together for the encouragement of fraud and discarding and the persistently high level of the latter, despite increases in authorized mesh size, will be noted. The twin phenomena of fraud and discarding amply illustrate the urgency for restriction of fishing effort in the North Sea. In the Baltic the situation for cod has developed in a very similar way to that in the North Sea: actual catches in the last few years have been substantially above quota, the problem not being restricted to any particular Member State or Union countries alone. The recent satisfactory recruitment to the cod stock has meant that, in the absence of effort restrictions, catches have exceeded those authorized. Control work has run into the problems of probable fraudulent misrepresentation of the geographical origin of catches made by Community fishermen and exportation to the Union of cod fraudulently fished in the Baltic by non-Union vessels, large quantities of Baltic cod having been declared on the market of Member States not bordering it.

IV. ASPECTS OTHER THAN CONSERVATION

1. MARKET POLICY

The rigorous application of the relevant body of Community rules should ensure that the proper functioning of the common organisation is not disturbed by, for example, undeclared imports and that undersized fish are not presented for sale through publicly or privately owned auction centres or benefit directly or indirectly from the price withdrawal system. In addition, fishery products presented for sale are required to comply with specific freshness and grading standards in order to protect consumers, etc. Each Member State is required to organise regular checks on its own territory in order to ensure compliance with the technical aspects of the common organization of the market in fishery and aquaculture products. The withdrawal of products from the market for purposes other than human consumption and the storage and/or processing of products so withdrawn must also be monitored.

Member States must notify the Commission about the specific control measures adopted to implement the controls outlined above, the identity of the competent national control authorities, the type of infringements discovered and subsequent action taken.

Within each Member State, the task of monitoring and control is shared between a number of national services. This division is partly explained by the fact that different services (health, antifraud, quality control, etc.) have traditionally been involved in controls and that different entities (producers' organizations in particular) have a major role to play in the common organization of the fisheries market.

As regards the actual implementation of technical controls, the Commission notes that checks on minimum sizes are undertaken by either the national fisheries inspectorate based in ports (United Kingdom, Ireland, Denmark), specialised services (France, Portugal), or a combination of both. In Member States where more than one service is associated with this type of control, it is not clear how and to what extent this task is shared or coordinated.

In their submissions to the Commission, Member States, whilst indicating that this type of control is indeed exercised, gave few details on their level, frequency or extent. Consequently, the Commission cannot conclude that these have been satisfactory.

As for controls on the procedures governing the withdrawal of fish from the market, Member States' reports indicate that in most cases these are adequately monitored and that the procedures are properly applied.

Member States were also asked to supply information on the outcome of market-based inspections and controls (types of infringement, etc.) and the action taken in cases of non-compliance. Almost without exception, Member States have not supplied this information.

2. THE TRANSPORT OF FISHERY PRODUCTS

The proper functioning of the rules governing the transport of fishery products[4] should ensure that the national monitoring authorities are in a position to intervene in order to prevent the carriage and eventual sale of quantities of fish (particularly those subject to total allowable catch restrictions) which have not been comprehensively or correctly registered at the point of landing or importation or whose precise origin is unclear. Such controls can also assist in the prevention of fraudulent imports into the Community. Moreover, conducting routine checks on transporters constitutes a deterrent against the carriage of quantities of fish which have not been properly registered and/or of undersized fish. Both practices present persistent problems for national monitoring services.

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(4) Detailed rules applicable to the market sector are set out in Council Regulation (EEC) No 3759/92, and the enforcement of these is incorporated into the integrated control approach provided for in Articles 24-28 of Council Regulation (EC) No 2847/93, while the transport of fisheries products is regulated in Article 13 of Council Regulation (EC) No 2847/93.

Port landings are normally controlled in the course of routine dockside inspections and new obligations apply in particular to quantities transported through Community territory.

The controls focus primarily on whether:

- such quantities are accompanied by a transport document,
- the document in question contains the proper information. Responsibility for drawing up and keeping the document rests with the transporter.

Checks on the transport of fishery products is a new task for the national monitoring authorities. The overland transport of fishery products has increased substantially in recent years and has particular relevance for different groups of Member States. The monitoring of the movement of fishery products has assumed greater importance in recent years because of the increase in the volume of fishery products transported for either marketing or/and specific consumption reasons.

In their reports, Member States have not indicated the extent to which random checks have been conducted to check on the distribution of fish catches, nor do they report that their particular checks/controls yielded significant results. On the basis of these reports and missions conducted to Member States in 1994 by the Commission's Fisheries Inspectorate, the Commission takes the view that these controls have been at best very limited in the majority of Member States and that they cannot be considered to be of any significance in terms of overall control. Consequently, the Commission concludes that the monitoring opportunities provided by this measure are not being fully exploited by Member States, particularly in the context of dealing with the problem of undersized fish.

3. STRUCTURAL POLICY[5]

The input and output (catch) management requirements in the basic Regulation, reflecting as they do the scientific analytical work identifying excessive fishing effort and over-capacity as the primary cause of the CFP's difficulties, have given monitoring of capacity and effort an increasing importance that will continue to grow very rapidly.

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[5] The specific rules are contained in Articles 25 to 27 of Regulation (EEC) No 2847/93.

Fishing-capacity adjustment, whether expressed in vessel size, engine power or in the number, size or gear characteristics of vessels, is to be properly monitored and the different means employed, e.g. restrictions etc., to implement the different objectives are to be checked on a regular basis. Fishing-activity limitations accepted for some Member States as a complement to capacity reduction within the third-generation MAGPs must also be monitored. It is also necessary to ensure that, for example, vessels in receipt of financial aid for modernisation or cessation of activity, whether temporary or permanent, are checked by national monitoring authorities.

From the various submissions and reports forwarded by Member States, a wide variation in both the type and depth of controls conducted by national monitoring services is apparent. On the one side, a number of Member States (United Kingdom, Germany, Denmark) have a relatively well-developed and integrated control framework (databases on vessel activity, fleet register, systematic checks on vessels entering the fleet, etc.), while on the other side, other Member States appear to have a more *ad hoc* approach to these particular technical controls. With respect to the latter group of Member States, the Commission has noted that the technical controls are at best carried out intermittently and in an uncoordinated manner. In general, such controls are conducted only when vessels are initially modified etc. and there appears to be no or little attempt at follow-up checking. This is particularly important in the case of vessels which are subject to restrictions on gear usage or engine power. A second and equally important unsatisfactory element associated with the implementation of these technical controls is that many of them are carried out by services which are often not part of fisheries control services or departments. In addition, responsibility is sometimes shared by different services; in Portugal, for example, five different services are responsible for such controls while in others, two or up to three different ministries are involved.

Whilst acknowledging that certain aspects of shipping (including fishing vessels) traditionally fall within the remit of different ministries, the Commission expects Member States to take steps to ensure that these tasks are centralised or closely coordinated by the service which has overall responsibility for fisheries control.

As a first step in that direction, Member States should ensure that the information in the fishing-fleet register is more systematically utilised and complemented by databases on vessel activity linked to the fishing-fleet register, e.g. logbook returns, landing declarations, sales notes, etc.

With respect to the actual implementation of technical controls, most Member States have not yet given sufficient attention to this type of controls. Few Member States, in the context of their annual reports, have provided sufficient information on the extent to which these controls are conducted.

V. SANCTIONS AND LEGAL ISSUES

The record on compliance with the provisions of the common fisheries policy is the result of the quality and frequency of inspections and the level of sanctions in cases of non-compliance. This is an area where the Member State have sole competence. In order to get a better understanding of the legal systems applicable in the Member States concerning fisheries enforcement, the Commission ordered a study which covers most Member States. The results of this study are reflected in this chapter.

1. NATIONAL LEGAL SYSTEMS OF FISHERIES ENFORCEMENT

Fisheries enforcement can be divided into three different stages, i.e. disclosure of apparent infringement by monitoring, initiation of infringement procedures and sanctions.

1.1. Monitoring powers

Traditional monitoring powers are rather similar in all Member States. Control authorities in all Member States have wide ranging powers, such as the power to board vessels and search any relevant compartment; to examine fish; to initiate inquiries; to require any paper or document for investigative purposes; to take samples and to measure and weigh goods.

But there are considerable differences in the scope of these powers. This scope may vary according to a number of factors. One of the most important factors is the nature of the enforcement system, i.e. criminal or administrative.

1.2. Infringement procedures

Infringement procedures in respect of fishery offences are very different as between the Member States. These differences are for instance apparent in matters relating to the rules of evidence. Problems sometimes occur when evidence is transferred from one Member State to another. Differences also exist as far as the settlement of fishery offences out of court is concerned.

1.3. Sanctions

Differences between the national systems are also reflected in the way in which sanctions are imposed for fishery offences. In some Member States, decisions on fishery offences fall under the jurisdiction of the criminal courts, whilst other Member States have an administrative system of fisheries enforcement in which such decisions are taken by administrative authorities instead of courts of law. In some Member States combined systems apply.

Sanctions can be classified in three main categories :

- penalties imposed in criminal court proceedings (money fines, imprisonment, forfeiture of catch or gear, licence withdrawal);
- civil fines, which are imposed only in Denmark and the Netherlands.
- administrative penalties imposed by administrative authorities in the countries having an administrative system of fisheries enforcement.

2. THE COMMUNITY LEGAL FRAMEWORK

As the frequency of inspections is generally low, fishermen can calculate the risk of being fined as another operating expense. In many cases, the impact of penalties on the behaviour of fishermen is, therefore, negligible. If even a fine deprives a fisherman of the gains of the fishing trip in question, it will at most only marginally increase annual costs. In addition, national courts have been known to impose very low fines because they consider Community legislation too complex and do not expect the fishermen to understand it. Unfortunately, there are too many examples where the fishing industry and in some cases even national administrations have promoted this image of the common fisheries policy.

In order to safeguard the objectivity and transparency of the action taken following infringements, the Commission proposed - and Member States adopted, as part of Council Regulation (EEC) No 2847/93 of October 1993 establishing a control system applicable to the common fisheries policy - certain provisions relating to the effectiveness of sanctions to be applied in cases where the Community measures are not observed.

In the light of these provisions, Member States are required to take all the necessary non-discriminatory measures to ensure compliance with the rules of the common fisheries policy and prosecute irregularities, by establishing a roster of sanctions effectively depriving the wrong-doers of the economic benefit of the infringements or producing results proportionate to the seriousness of such infringements.

In addition, and in accordance with Article 34(2) of the Council Regulation, Member States are obliged to notify the Commission regularly of the results of all inspections or monitoring carried out, including the number and type of infringements discovered and the action taken.

Most Member States do not provide information on their penalty practices. Although it is easy to find examples illustrating the insufficient level of penalties, there is little information supporting an assessment of the efficiency of sanctions in fisheries. Even if Member States notify the number of infringements prosecuted, little or no information about the eventual penalty inflicted, if any, is available. The statistics provided in Annex II demonstrate the inefficiency of the information transmitted.

Moreover, certain Member States capitalize on the obligation of notification to systematically indicate all infringements committed by vessels from other Member States and even non-member countries.

As long as the Commission does not receive systematic information on the amount and type of penalties imposed by national courts or administrative authorities, it cannot properly assess the efficiency of fisheries enforcement in the Member States.

3. COOPERATION

It appears that the legal framework applicable in the Member States concerning fisheries enforcement provides very few opportunities for cooperation between Member States. A Member State has jurisdiction over all fishing vessels operating in its waters, and beyond in the case of its own vessels. Non-compliance may be disclosed and sanctioned under its jurisdiction. However, in many other cases where fishing vessels operate in the waters of several Member States and land their catch again in another Member State, it may be difficult for the flag Member State to monitor the activities of its vessels. This arises particularly when, for example, the flag Member State allocates individual catch quotas to its vessels. However, such cooperation is particularly non-existent.

Furthermore, cooperation between Member States is meant to involve procedures for the exchange of information and evidence as well as taking action against vessels which have escaped inspection in another Member State. But problems can occur due to different national systems of fisheries enforcement. Member States have, for instance, widely diverging rules of evidence. The current lack of cooperation may reflect the permissive attitude towards the national fishing industries which attempt to exploit fishing possibilities beyond the limits set in accordance with the common fisheries policy. As long as the fishing industry in most Member States exploits such fishing possibilities, none of them will gain, but obviously the conservation of fish stocks will be undermined for everyone.

To overcome some of the obstacles between national procedures, close cooperation between the authorities of the flag Member State and the authorities of the coastal state is recommended. It is submitted that effectiveness of fisheries enforcement should not vary according to the national system of law involved.

As regards enforcement, it is therefore necessary to enhance cooperation between Member States, increase the deterrent effect of sanctions and create improved transparency.

VI. CONCLUSIONS

This report, completed in 1995, has clearly indicated the delays occurring in implementation of the new provisions contained in the control Regulation (Regulation (EEC) No 2847/93), the impact of which cannot yet be fully assessed. The next report, which will be completed in 1996, will be of primary importance in this regard. It will have to take account of the conclusions of the December 1994 meeting of the Council calling for a report on fishery controls in the Atlantic and experience acquired in 1996 following the computerization, now compulsory, of databases of logbook and landing-note information. The value of this will be all the greater as the information transmitted by the Member States becomes more precise, particularly as to actual resource allocation to monitoring work and the statistics on infringements detected and penalties imposed.

Incomplete though it is, the present report is in the Commission's eyes eminently useful. It can only help to diminish the lack of transparency between Member States on control matters. Invariably unwilling to draw attention to their own weaknesses, the Member States have nonetheless made big efforts to describe their control mechanisms. Experience gained in preparing this report will enable the Commission to frame its requests for information from the Member States more accurately, which will increase the contribution of this type of report to transparency. The Commission is also now in a better position to adjust the deployment of its own resources, though this is unfortunately restricted by the increased burden of control work in international waters (NAFO, driftnets). The Commission continues to hope that, in line with the rules on sharing of responsibility, the Member States concerned will rapidly take up the burden of work falling on them. Irrespective of this the Commission considers that it must in future give priority to:

- validation, for the sake of transparency, of the information transmitted by each Member State on resources devoted to control work and the outcome of this work;

- new areas being covered by control work at Community level: structural measures, particularly the adjustment of fleet capacity, parallel monitoring of fishing effort, market monitoring liaison, checks during transport, and the development of systematic cross-checks between different sources of information;

- the problems in each fishery that lie behind major infringements of Community regulations to the possible detriment of other Member States, e.g. quota overruns in the North and Baltic Seas and disregard of technical conservation rules in Region 3;

- coordination between national administrations and between them and DG XIV. Accelerated implementation of new technology (satellite monitoring, computer links) is a first field for consultation but not the only one. Coordination of action at sea, as control work in the Atlantic tuna fisheries has demonstrated, requires action at Community level. The same applies to checks on catches by vessels operating in the EEZ of one Member State and landing at a port in another. Generally the Commission has an important role to play in promoting synergy and dissipating suspicion.

The detailed priorities of national administrations will certainly vary but for 1996 the Commission considers there to be two general priorities: computerization and control work on capacity and effort.

ANNEX I

REPORTS FOR EACH MEMBER STATE

The report on each Member State is in two parts:

I. *Inspection and monitoring of fishing activities*

A summary of the description provided by the Member State of the provisions it has implemented for the enforcement of the CFP. The Commission has been obliged to provide summaries because of the volume and non-uniform presentation of the reports from the national authorities.

II. *Evaluation*

This is an evaluation carried out by the Commission and notified to the relevant Member State, whose comments have been incorporated.

In all cases the Commission's evaluation contains a description of the particular circumstances in each Member State. In the mind of the Commission, this part is intended to promote mutual understanding between Member States.

BELGIUM

I. *Inspection and monitoring of fishing activities*

A. ORGANIZATION

Responsibility for monitoring fishing activities of Belgian and non-Belgian fishing vessels rests primarily with the Ministry of Agriculture, although some specific aspects of fisheries monitoring are allocated to the Ministry of Communications and Infrastructure, the Ministry of the Economy and the Regional Flemish Government.

Within the Ministry of Agriculture, the Sea Fisheries Service has responsibility for the collection of data on fish landings, controls on imports, markets and the management of national quotas.

Sea inspections are assisted by the national Naval Service, which is under the authority of the Ministry of Defence. These inspections are carried out in cooperation with the Sea Fisheries Service and personnel from that service accompany naval vessels.

Structural aspects (licences, vessel characteristics) are dealt with by the Sea Fisheries Service, while the technical aspects (engine capacity, tonnage) are monitored by the Ministry of Communications (Maritime Inspection Service). Fleet development is regulated by licences issued by the Sea Fisheries Service and finance (loans etc.) is provided by the Regional Government of Flanders.

In the area of markets (quality grading, withdrawal price levels, etc.) responsibility is divided as follows:

- Quality/grading is monitored by the Ministry of Agriculture (National Service for the Promotion of Agricultural/Horticultural products) (N.D.A.L.T.M.)
- Withdrawal of fish etc.: Ministry of Economy (General Economic Inspection Service)
- Price levels: Ministry of Agriculture (See Fisheries Service).

B. RESOURCES

1. Human

The Sea Fisheries Service has a staff of approximately 25 persons.

The Fisheries Inspectorate, which is a separate unit inside the Sea Fisheries Service, is composed of one inspector and four fisheries officers and is based in Ostende. The Inspectorate visits ports and auctions on a regular basis, and participates in naval inspections and aerial surveillance missions. A small staff within the Sea Fisheries Service covers catch registration and quota management.

When conducting auction/port inspections in Zeebrugge, the national inspectors are assisted by the local port police.

From time to time the Fisheries Inspectorate can avail itself of the services of the Investigation Branch of the Custom and Excise Service.

Monitoring at the marketing stage and the technical aspects (grading, freshness) are covered by two inspectors from the N.D.A.L.T.P. (Ministry of Agriculture). One inspector (from the Ministry of the Economy) conducts checks on the destination of fish withdrawn from the market and general compliance with withdrawal prices.

2. Vessels/aircraft

Three naval vessels (2 tugs and 1 inshore minesweeper) are available for fisheries protection duties.

An aircraft under the control of the regional government (Dept. of the Environment) is leased for a total of forty hours per year. This is used for aerial surveillance during specific periods of the year (spring - for the flat fish season).

3. Computerization

A centralised computer service based in Ostende has been established (AS-400 IBM mainframe computer). This is used to store data on catches - logbook, landing declarations, sales notes, information on marketing (prices, quantities, quality grading, etc.) and the list of licences issued.

The registration of vessels, which is the responsibility of the Ministry of Communications, is also computerized. Data (sales notes etc.) from the Zeebrugge Auction are transmitted on-line to the Sea Fisheries Service on a daily basis. Data from other auction centres are entered manually in Ostende.

C. ACTIVITIES

The inspections conducted onshore (in auctions/on buyers and vessels) in 1994 totalled 208.

These were carried in the following port/auctions: Zeebrugge: 99, Ostende : 71, Nieuwpoort : 17, Others : 21

These checks detected 64 apparent infringements (the majority of these concerned logbooks or landing declarations). Approximately 30% of all recorded landings were checked.

Approximately 95% of all logbook information is returned. The same applies for landing declarations and sales notes. Exchange of information is furthermore carried out on a regular basis with Denmark (via modem), the Netherlands and the UK.

Validation of logbook/landing declaration data is carried out by use of sales notes and this is undertaken with respect to approximately 75% of landings. Discrepancies etc. are identified and transmitted to the Fisheries Inspectorate for subsequent follow-up.

Naval Inspections 1994

In 1994, sixty-eight vessels (mainly Belgian and Dutch) were inspected and a total of nine infringements were detected. Sea patrols were conducted in area IVc and totalled 34 days during 1994.

Aerial surveillance (40 hours) resulted in 302 sightings.

II. *Evaluation*

A. General

The fishing fleet comprises a limited number of medium-sized vessels. A relatively large part of the catch is landed in other Member States (UK, Netherlands and Denmark). In 1994, the quota for 9 stocks was exhausted. Quota management for sole in particular is very restrictive. The EEZ is limited in size and the coastline is relatively short with a small number of ports.

B. Strengths and weaknesses

The recording of catches is computerized. It is based on data from logbook sheets, landing declarations and sales notes. About 75% of landings are cross-checked. The catch registration of landings offered for first sale at auction seems to be reliable. Landings in other Member States are scrutinized on the basis of logbook sheets. This information is checked against the information on landing and sales provided by the Member States concerned.

Although the number of officials responsible for inspection has increased over the last years, their numbers are still considered insufficient. Furthermore these officials do not have the necessary legal powers required to carry out their tasks on land and at sea.

Three navy vessels with limited capacities for fisheries surveillance carry out part time inspections at sea. Aerial surveillance is limited to 40 hours per year. The legality of findings obtained by this means of inspection is contested.

It is believed that unrecorded landings still occur. Fisheries inspectors are accompanied by customs or police officials with a view to disclose such practices.

DENMARK

I. *Inspection and monitoring of fishing activities*

A. Organization

Responsibility for monitoring fishing activities rests with the Fisheries Directorate, which now forms part of the Ministry of Agriculture and Fisheries following restructuring which took place in 1994.

Within the Fisheries Directorate there is a division which has specific responsibility for controls including actual inspection. Other tasks ascribed to that division include registration of catches, the issuing of licences and structural and market aspects associated with the fishing industry.

The actual Fisheries Inspectorate is decentralised, that is to say, the majority of inspectors are based in the main fishing ports and their activities are coordinated through the Division's Secretariat.

In specific areas of responsibility, e.g. structures and markets, the Inspectorate is assisted or cooperates with other specialised public organizations such as Customs and Excise, the health and veterinary services.

The Inspectorate has its own inspection resources - patrol vessels and computer systems which are under its own exclusive control.

The main objective of the inspectorate both centrally and locally is the collection of catch data from logbooks/landing declarations and comparison with data obtained from sales notes supplied by auction centres and buyers.

This data is systematically analyzed and discrepancies noted are investigated. In order to facilitate analysis, two data bases have been created, covering landings and sales.

B. RESOURCES

1. Human

In terms of actual inspectors, the Inspectorate has a staff of 143 inspectors divided between the main fishing port areas.

In addition, the Secretariat has a staff of 25, while the Computer Service used to process data from logbooks/landing declarations/sales notes has a staff of 24.

Analysis and updating of catches subject to total allowable catch restrictions is undertaken by an additional staff of 3 persons.

2. Vessels/aircraft

A total of five vessels are used for fisheries patrol purposes. These vessels have a total crew of 102 persons.

No aircraft surveillance is carried out by the Fisheries Inspectorate.

3. Computerization

Computer systems have been installed to process logbook/landing declaration data and sales note data, record catch returns and conduct ongoing analysis of fishing activity and effort.

The data is stored in a mainframe, access to which is available to staff via a local network. Locally based inspectors are linked by a network and also have access to the mainframe.

C. ACTIVITIES

Inspection activity, by port, by type of activity

Table 1

Inspectorate based in	N° of Employees	N° of inspections of vessels	N° of inspections of buyers
Esbjerg	21	1475	1016
Fredericia	19	107	50
Frederikshavn	29	1524	2617
Nykøbing Mors	25	457	993
Randers	18	83	293
Roskilde	31	1107	205
Total	**143**	**4573**	**5174**

Inspections at Sea

- Patrols conducted per patrol vessel, by number of days, by ICES area

Table 2

VESSEL	AREA						
	IV A	IV b	III AN	III AS	III B	III C	III D
Jens Væver							51
Nordsøen		142	2				
Nordjylland		14	49	26	2	1	16
Vestkysten	12	117	97	28		5	
Viben		1		21	80	102	31
Various other vessels					1	3	
Total	**12**	**274**	**148**	**75**	**83**	**111**	**98**

Number of inspections at sea by ICES area.

VESSEL	AREA						
	IV A	IV b	III AN	III AS	III B	III C	III D
Jens Væver							39
Nordsøen		200	1				
Nordjylland		5	48	10			20
Vestkysten		68	89	15		13	
Viben				14	7	71	6
Total		**293**	**128**	**39**	**7**	**84**	**65**

Results

Number of apparent infringements detected during the course of sea and port inspections:

Port Inspections: 182 - largest category: logbook/landing declaration obligation (57).
Sea Inspections: 59

Validation of landings, auction data, etc.

Validation is conducted primarily through the systematic comparison of logbook/landing declarations and sales notes.
Landing and sales data is collected in port by local inspectors and transmitted to the central authorities. Purchases made at auctions or by major buyers (fish-processing plants) are transmitted within forty-eight hours. Cross-checks on this data are made on a daily basis to identify errors, missing information and discrepancies.

In addition, the larger auction centres are visited on a regular basis to make checks on quantities, their grading and freshness and in the context of monitoring market regulations generally.

Validation of landings by means of physical controls (monitoring and recording quantities landed - number of boxes and their weight) is limited to approximately 3% of landings.

There exists a licensing system for vessels with no logbook and their catch is recorded using the sales notes.

Landings in non-member countries

Landings made by Danish vessels in ports located in non-member countries are checked using logbooks/landing declarations and comparing these with subsequent sales notes if the catch is sold in Denmark. In 1995, the sales-note format was modified to include information on the economic zone where the catch was taken.

Monitoring of technical conservation measures (gear type, fish sizes, etc.)

Checks are undertaken by the Fisheries Inspectorate in the course of port inspections and during sea patrols. No precise details are available with respect to the number (or frequency) of these types of inspections. In general, they are carried out in the context of routine port inspections.

Problems with respect to undersized fish (Norway lobster in particular) have been noted by the national authorities but their efforts to suppress such practices have been hampered by the fact that many occur in the context of smaller landings which cannot be subjected to continual monitoring.

Control on mesh sizes and gear generally is carried out in the context of sea patrols. No precise figures are available as to the rate of inspection or detection. Effective monitoring is hampered by the fact that vessels can retain different gear types/mesh sizes while at sea and is restricted to the inspection of the last haul.

Transport of fish

Monitoring of fish transported overland is, in the first instance, carried out on a sample basis and through random checks. The authority to stop transport vehicles is confined to the national police authority and this inhibits more general controls. A satisfactory level of monitoring can be effected through cooperation with the national police authority.

II. *Evaluation*

A. General

The Danish EEZ is limited, but Denmark has a long coastline with over 200 harbours. The fishmeal industry is located on the West Coast of Jutland. A large number of small ports are located along the Danish coast and among the islands. The most important Baltic port is Neksø on Bornholm.

The Danish fleet carries out a number of various fisheries. The overcapacity of the fleet has been gradually reduced and there is no excessive pressure on quotas, except for certain species such as cod and North Sea sole. The major volume of the catch consists of small species destined for fish meal and oil. A sampling scheme recently revised indicates that the landings of herring for reduction have diminished as a result of the management regime and probably certain biological developments including increased sprat occurrences. The monitoring of industrial fisheries remains difficult, however. An important problem in this respect is the mixed clupeoid fishery in the Skagerrak/Kattegat, where ambiguities in the regulations are exploited to the fullest extent possible. By-catches in certain other industrial fisheries can also create problems. Even the so-called clean fisheries deserve attention because of the risk of species misreporting, e.g. herring being reported as sandeel.

The fishermen in the industry are well organised, which should facilitate controls.

B. Strengths and weaknesses

Danish fisheries policy has a long history and covers a large number of aspects. It has been translated into a comprehensive set of national regulations.

The authorities have set up a fairly extensive system to register catches. Computerised procedures have been set up to process logbook sheets and sales accounts transmitted by fish buyers. The consistency of the data is systematically cross-checked. Physical inspection is however not so extensive.

Logbook entries are not profoundly checked. Sales notes, which are actually used as landing declarations, are not sufficiently checked by the national inspectors, although illegal arrangements between fishermen and buyers may exist. Cross-checks between logbooks and sales notes should be more-often complemented by physical checks.

> *The Danish system for registering catches and landings has three components: physical inspection, scrutiny of documents and checking of accounts. The scale of each of these depends on an assessment of where resources can be most effectively applied. The physical monitoring of landings allows cross-checking of logbook data and sales accounts. The national regulations for the fisheries in all major species are controlled by document checks carried out regularly by local inspectorates and by checks on business accounts. The document checks involve comparing logbooks and sales notes against the allowable catches in regulated fisheries. Individual fisheries are comprehensively surveyed at vessel level. Local inspectors also carry out checks on business accounts. On a sample basis, for a given period, a complete input/output analysis is made of the flow of products and the flow of money to see whether goods received/bought tally with goods sold. This ensures that any data errors in registers will be identified.*

The registration of industrial catches through the administrative circuit is not fully satisfactory. The buyers of industrial landings only mention the main species in the catch; the composition of individual catches is in general not known to the authorities. In this way an industrial catch of pout mixed with protected species can be declared entirely as pout. This results in certain species being over-reported in the catch reports, whilst others are under-reported. An overall scientific evaluation of industrial catches, based on the sampling scheme, helps however to correct these shortcomings. Nevertheless, the Commission is not in a position to guarantee the full effectiveness of the sampling scheme in question. There is also insufficient direct monitoring at sea of the specific management measures aimed at limiting industrial fisheries in problem areas. A satellite tracking system would overcome this problem.

On the registering of industrial catches, the Danish authorities comment as follows:

> *The registration of industrial catches is in accordance with the rules for registering catches set out in Article 5(1) of Council Regulation (EC) No 3362/94 of 20 December 1994 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1995 and certain conditions under which they may be fished. this registration system is also well-suited to managing quotas if it is supplemented by a sampling system for use in formulating scientific advice. The sampling arrangements and the volume of samples taken can of course be modified.*

Furthermore, the legal authorities require a significant excess of the by-catch limits before they sentence fishermen. If the by-catch limit is e.g. 10%, prosecution will only start if the by-catch is at least 20%. A conviction results in a fine and in the confiscation of the value of the illegal part of the catch.

Enforcement at sea is in general limited. The patrol vessels are also assigned to other task such as assistance to fishermen. Their efficiency could be increased by the establishment of airborne surveillance. The Danish authorities comment as follows:

> *The seagoing patrols spend about 80% of their time on surveillance, with the remaining 20% being spent on rescue and towing activities. The number of days at sea in 1994 came to 801, with 120 127 nautical miles sailed in total.*

During 1994, the controls on the cod fishery in the Baltic sea caused particular problems. The inspection service faced difficulties to cope with the numerous third country landings and had therefore insufficient resources left to control fisheries. Moreover, one of the inspection vessel then operating in the Baltic was not adequate for the task. Pursuant to the request of the Commission, the Danish authorities have conducted an administrative inquiry into this fishery.

GERMANY

I. *Inspection and monitoring of fishing activities*

A. ORGANIZATION

Responsibility for monitoring fishing activities in the Federal Republic is divided between the central authorities and their counterparts in the *Länder*.

The central authorities are based in the Ministry of Food, Agriculture and Forestry.

Fisheries inspectors are based in the Ministry and in the *Länder*. Both inspectorates are responsible for the following tasks:

- monitoring landings, gear and vessel characteristics,
- conducting checks on quality and compliance with market and technical rules (prices, withdrawal freshness, grading, etc.)
- validation and cross-checking of catch and sales records.

A number of specialized public organizations are also involved in monitoring different aspects of fishing activity:

- *technical aspects of vessels and gear:* Federal Office of Sea Navigation and Hydrography.
- *markets:* Federal Veterinary Office
  Federal Agriculture and Food Office - BLE
  The national intervention agency.
- *imports:* Custom and Excise Service.
- *control vessels:* Coastguard Service.

B. RESOURCES

1. Human

Fisheries Inspectorate

The total number of shore inspectors in the Federal Republic is 30, with 4 at federal level and 26 in the *Länder* (Schleswig-Holstein 10, Mecklenburg-W. Pomerania 12, Hamburg 1).

This core group of inspectors is assisted by additional local staff during major control operations.

2. Vessels/aircraft

A total of 21 surveillance vessels are utilised in the Federal Republic, 4 operated by the central authorities and 17 by the *Länder*. In addition, 12 customs vessels carry out limited control duties, for example patrols are conducted on the outer limits of the German fishing zone and in certain protected areas to monitor flatfish. However, these vessels do not conduct actual fisheries inspections.

Surveillance vessel activity is coordinated by the National Coastguard Service.

No aircraft are assigned to fisheries surveillance.

3. Computerization

Information on the administration of quotas, the national fishing fleet and markets is computerized at the Federal Agriculture and Food Office (BLE). In addition, some of the individual *Länder* have computer systems while others are installing them at present.

C. ACTIVITIES

Fisheries Inspectorate

Port inspections

A total of 10 539 port inspections were conducted in 1994.

These were located as follows:

Länder	**Number of port checks**
Mecklenburg-Western Pomerania	7 383
Lower Saxony	2 473
Schleswig-Holstein	683
TOTAL	**10 539**

In the context of these inspections a total of 176 infringements were detected. The bulk of the infringements involved logbook/landing declaration offences.

Type of infringement	**Nationality of vessel**	
	German	**Danish**
Logbook/landing decl.	53	4
Illegal gear	10	
Vessel tonnage/engine capacity	1	
By-catch	1	
Undersized fish	8	
Unauthorised fishing	5	
Gear marking	5	
Vessel marking	17	
Others	76	

In addition to vessel inspection, the monitoring authorities were involved in checking landings at the point of unloading or in auction centres. An estimated 30% were checked mainly in auction markets in 1994. No checks were performed on transport on land.

Cross-checks between logbook entries, landing declarations and sales notes were conducted on all vessels of ten metres or more in length. These landings represented 95% of total landings at ports in the Federal Republic. Catches made by vessels under 10 metres are reported monthly to the authorities.

Specific control activity focused on compliance with minimum fish-size requirements (both at sea and in port), minimum mesh sizes and, to a limited extent, on the transport of fish.

Inspections at sea

Area	Number of days	Inspections
ICES III	1 415	2 843
ICES IV	1 344	1 645
ICES V	4	
ICES VI	2	
ICES XII	14	
ICES XIV	68	
TOTAL	2 847	4 488

Sea patrols detected a total of 265 infringements.

Infringements detected at sea by nationality of vessel by type of infringement break down as shown below.

Total number of vessels involved in infringements	Nationality of vessels				
	Belgian	German	Danish	Dutch	UK
	2	240	7	15	1
TOTAL: 265					

The main types of infringement were logbook irregularities, unauthorised gear, unauthorised fishing, entry into a closed area, etc.

Number of fishing vessels inspected by nationality

German	3 778
Danish	138
Dutch	503
UK	45
Belgian	24
TOTAL	**4 488**

II. *Evaluation*

A. General

The size of the German fisheries has dwindled drastically in the past 15 to 20 years. Germany has adapted the structure and size of its fleet to the available quotas. There is no overcapacity. The EEZ is limited in size, and the North Sea coast is relatively short with only a small number of ports. The Baltic coast counts a larger number of mainly small harbours.
Germany has an important fish processing industry relying largely on imported products.

B. Strengths and weaknesses

There is little problem with breaches of technical measures discoverable in ports and control seems to be adequate, although hampered by staff shortages in the *Länder*. The situation is rather different at sea; the fisheries protection vessels appear not to be optimally utilized because of the division of competence between the Federal authorities and those of the *Länder*.

The German deep-sea fleet is active in the entire North Atlantic. The fleet is most of the time escorted by a German fishery protection vessel (*Fischereischutzboot*). Therefore the German authorities have a good knowledge of the activities of this fleet segment in the fishing grounds. The landing controls made on freezer-trawlers are very detailed. The inspectors tally the unloading and verify at irregular intervals the marking of the units. They also take samples from frozen fillet blocks and send them to a veterinary office for species identification.

Catch registration is based on logbook sheets, landing declarations and sales notes. A comprehensive set of conversion factors is in use. In general, the catch reporting system seems to be reliable.

During 1994, the monitoring of the cod fishery in the Baltic caused particular problems. The inspection services could not cope with the numerous cases of species mis-declaration and with cod imports and transits. Initiatives were taken by the competent authorities with respect to monitoring German vessels fishing in the Danish zone and reciprocal arrangements for Danish patrol vessels. At the request of the Commission, the German authorities have conducted an administrative inquiry into this fishery.

GREECE

I. *Inspection and monitoring of fishing activities*

A. ORGANIZATION

Responsibility for monitoring fishing activities is shared between a number of ministries and public organizations. With respect to the ministries associated with controls, these are the Ministry of Agriculture (Directorate-General for Fisheries) and the Ministry of the Merchant Marine (Coastguard-Police Division) and, to a lesser extent, the Ministry of Commerce. Actual controls are carried out by the port authorities (172 in total), which come under the Ministry of the Merchant Marine. These coastguard authorities are responsible for issuing safety certificates to fishing vessels and monitoring fishing activities up to the point of landing of catches and for verifying compliance with national and Community legislation in the context of the common fisheries policy (mesh sizes, technical measures, etc.). In addition, they also process infringement proceedings.

Specialised services of the Ministry of Agriculture and the Ministry of Commerce are responsible for controls on domestic and imported fishery products transported from the port of landing to fish markets and processing units and for verifying compliance with national and Community legislation applicable to marketing, health and sales matters.

B. RESOURCES

1. Human

As stated above, controls are carried out, in the main, by the one hundred and seventy-two coastguard-designated port authorities. No details of precise personnel figures are available with respect to port inspections, etc.

Inspections are concentrated on vessels over 10 metres and these number 2 416 in total (12 % of fleet); in addition, the 12 main auction centres which sell approximately 30% of all landings are monitored.

Cross-checking of logbooks/landing declarations and sales notes is not undertaken because of the deferment until 1 January 1999 of the provisions of Article 40 of Council Regulation (EEC) No 2847/93.

2. Vessels/aircraft

A total of 120 surveillance vessels and 70 onshore vehicles are available for control purposes. No details are available with regard to how these are utilised and the results of patrol activities.

Four light aircraft are available for aerial surveillance. Again no details on their operation have been reported to the Commission.

3. Computerisation

The Greek authorities have created the following computer systems :

Using the HELLAS-PAC facility, the Ministry for the Merchant Marine has set up a network of computers and terminals for its headquarters and regional services and 12 port authorities (Piraeus, Thessaloniki, Patras, Kavala, Chios, Corfu, Heraklion, Volos, Rhodes, Halkida, Lalamata and Syros). The whole data network functions under the TCP/IP communications protocol.

The computers carry data on the Greek fishing fleet. Client/server-environment applications are operated through the network, and there is a facility for automatic information exchange. Information is stored in databases on the Ministry for the Merchant Marine's central computer and is available to all of the network users.

The Ministry for the Merchant Marine has installed a SUN 690 MP computer and developed an ETHERNET network linking 50 terminals and printers via 5 terminal servers and personal computers.

SCO-UNIX systems have been installed at the offices of the coastguard authorities in ports. Fishing fleet data is stored in a data base on the central computer.

The database is fed daily with information from the coastguard authorities about the current situation of fishing vessels and about any changes in their characteristics, as required by Regulation (EC) No 109/94.

The final phase of control/approval of all changes made to fishing vessels, as specified in Regulation (EC) No 109/94, is carried out before forwarding to the Ministry of Agriculture, which has ultimate competence and is responsible for implementing the common fisheries policy and for the management of fisheries resources.

All data are stored via magnetic means on a daily basis.

A pilot fishing-activity control application via satellite is already being implemented and is providing satisfactory results. 18 fishing vessels and 6 coastguard patrol boats are participating in this pilot application.

C. ACTIVITIES

The specialised services of the three Ministries involved in controls and monitoring are engaged in a wide range of inspection activities. These include:

- safety certificates,
- fishing licences,
- landings,
- fish sizes and species,
- fishing gear,
- fishing methods,
- checks on imports and transportation of fish landed, technical inspections with respect to vessel characteristics and fleet composition, including up-dating the national fishery register, markets - quality grading and the withdrawal regime.

No details are available as to the number of personnel and other resources actually deployed to cover the range of tasks indicated above.

II. *Evaluation*

Like Italy, Greece is not yet fully integrated into the control system applicable to the common fisheries policy.

Consequently, the main task of the national monitoring services is to enforce national legislation and specific aspects of Council Regulation (EEC) No 2847/93.

A. Organization of monitoring

The bulk of control duties are allocated to the Coastguard Service which is based in, and operates in, the main ports. This service appears to be well-organised and integrated into all major aspects of monitoring. Further development of the monitoring service will be necessary in order to complete the control infrastructure in time for the application of all provisions of Council Regulation (EEC) No 2847/93.

B. Management of the structural and market aspects of fisheries

The task of monitoring structural and market aspects of fisheries products in shared between a number of public organizations drawn from different ministries. Consideration should be given by the Greek authorities to ensuring that this task is carried out, as far as possible, by the service responsible for monitoring generally.

The Greek authorities wish to point out the following:

> *The management of the structural and market aspects concerning fishery and aquaculture products is the responsibility of the Ministry of Agriculture, with the Directorate-General for Fisheries and the EAP (Coastguard) playing a substantial coordinating role. Where markets are concerned, there are obviously certain other departments of the Ministry of Agriculture involved (DIDAGEP, Veterinary Service) under the supervision of the Ministry of Agriculture as well as departments of other Ministries (Commerce, Economic Affairs), whose activities are however based on cooperation and agreement with the Directorate-General for Fisheries and the EAP.*

C. Monitoring of the transport and sale of fishery products

The Greek authorities have acknowledged that enforcement of these two aspects is not yet complete and that steps are currently being taken to facilitate full implementation of these two types of control (development of sales notes etc.).

SPAIN

I. *Inspection and monitoring of fishing activities*

A. ORGANIZATION

Responsibility for the monitoring of fishing and related activities is divided between the central authorities in Madrid, based in the Ministry of Agriculture, Fisheries and Food, and the 10 fisheries authorities of the "coastal" autonomous communities. This division is based on the origin of catches landed, that is, catches taken in waters located outside the baselines are the responsibility of the Madrid authorities while those taken inside are under the responsibility of the autonomous community authorities.

In effect, this means that the registration of catches and associated aspects (logbooks, landing declarations and sales notes) are monitored by the respective control authorities.

With respect to controls on marketing aspects, e.g. first-stage sale, this is the responsibility of the Madrid authorities regardless of the origin of catches. However, subsequent sales fall within the competence of the (17) autonomous communities.

On the other hand, monitoring of the structural aspects of fisheries policy (fleet register, vessels characteristics and capacity) falls within the competence of the central authorities - the Ministry of Transport (Directorate-General of the Merchant Marine), which is responsible for all national fleets. The Secretariat-General of Fisheries within the Ministry of Agriculture, Fisheries and Food is responsible for recording vessel activity and issuing licences and the use of specific gear types, etc.

The Fisheries Inspectorate which monitors external landings is based in Madrid and is deployed throughout the country on a regular on-going basis.

B. RESOURCES

1. Human and other resources

Organisation	Inspectors	Patrol Vessel	Helicopters	Vehicles
Madrid based	30	31[1]	2	26
Guardia Civil (Maritime Division)	-	19	-	-
Basque Country	9	2/5[2]	1	3
Cantabria	15	6/3[10]	-	8
Asturia	12	3/6[10]	1[3]	4
Galicia	117	21/3[10]	2	52
Andalusia	25	11/8[10]	1[4]	11
Murcia	3	1	-	1
Valencia	12	1	-	-
Catalonia	18	4/3[10]	-	5
Balearics	7	3	-	9[5]
Canaries	24	7	-	14

The inspectorates based in the autonomous communities focus primarily on the local small-scale fleet and shellfish vessels.

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(1) 31 patrol vessels the majority of which belong to the navy.

(2) Auxiliary vessels

(3) In association with Guardia Civil

(4) 300 hours per year.

(5) 3 trailers.

With respect to structures, 145 local agents of the Merchant Marine conduct checks on fishing vessels and maintain a technical datasheet on each vessel. Authorizations for modernisation, construction and changes to the engine capacity of fishing vessels are within the competence of the Autonomous Communities in conjunction with the Directorate-General of Fisheries.

The enforcement of market regulations including producer organisations is the task of the Ministry of Agriculture, Fisheries and Food and is conducted with a staff of 70 persons.

C. COMPUTERIZATION

No Information is available from the Spanish authorities.

D. ACTIVITIES IN 1994 (inspections at sea, in port, aerial surveillance)

Inspections at sea by area and nationality of vessels inspected:

AREA	NATIONALITY OF VESSEL			
	Spanish	Portuguese	French	Italian
VIII	3.532	4	9	-
IX	5.316	8	-	-
CECAF	205	-	-	-
Mediterranean	4.958	--	2	33
TOTAL	14.011	12	11	33

Infringements detected by nationality of vessel (all areas)

AREA	NATIONALITY OF VESSEL			
	Spanish	Portuguese	French	Italian
ALL	4.578	3	6	13

Aerial surveillance by region and result (conducted by central authorities)

REGION	Number of inspection days	Sightings	Infringements noted
Cantabria & NW	165	636	50
South Atlantic	78	416	167
Mediterranean	101	499	58
Canaries	21	20	0
TOTAL	365	1 571	275

Infringements detected in port by nationality of vessel:

Type of infringement	Nationality of vessel						
	E	P	UK	IRL	I	F	TOTAL
Logbook/landing declaration	133	7	4	2	2	2	150
Use of prohibited gear	78	1	4	2	2	2	89
Fishing in prohibited area	53	-	-	-	-	-	53
Excessive engine/ tonnage capacity	2	-	-	-	-	-	2
Illegal directed fishery	2681	-	-	-	-	-	2 681
By-catch violations	15	2	-	-	-	-	17
Undersized fish violations	2 755	1	-	-	-	-	2 756
Fishing licence	115	4	1	-	-	1	121
Incorrect gear marking	8	-	-	-	-	2	10
Incorrect vessel identification	1	-	-	-	-	-	1
Other	40	6	-	-	1	-	47
TOTAL	5 881	21	9	4	5	7	5 927

Future development of the inspection service

In the immediate future, the Spanish authorities intend to recruit 20 Madrid-based inspectors, deploy additional patrol vessels and purchase and deploy an additional helicopter for use in patrols in the Mediterranean. In order to facilitate the implementation of the transport-document control procedure, the central authorities are presently seeking agreement with the *Guardia Civil* in order for the latter to undertake this particular task.

Monitoring of quotas and catch registration

Personnel are located in 19 main ports to key in information taken from logbooks and landing declarations. This information is transmitted to a central database which allows catches by vessel to be registered.

II. *Evaluation*

A. General

Mainland Spain has a very long Mediterranean coastline and a shorter Atlantic one. Coastal indentation adds to the number of landing places. The EEZ is relatively large but the narrowness of the continental shelf reduces considerably the true extent of the fishing grounds, with the exception of those for large pelagic species.

There is ready demand on the Spanish market for a wide variety of species. Small fish, including the biologically undersized, offer high returns. The Spanish authorities wish to point out the following:

> *The Spanish market covers a wide variety of species and there is consumer demand for small-sized fish that are within regulatory requirements. This demand, a large part of which is met by imports from other countries, makes worse the problem of consumption of immature fish. Action is being taken against this consumption of juveniles by stepping up inspections and information campaigns.*

The fishing fleet is large but its heterogenous nature is not always widely known about outside Spain.

Spain is meeting its obligations under the multiannual guidance programme now under way. While it has not completely resolved its problem of overcapacity, it has achieved very significant progress, much better than in many other Member States. The rate of uptake of the hake and monkfish quotas demonstrates that the problem of overcapacity persists in areas VI, VIA and VIII.

The Spanish authorities point out that:

> *To help resolve this problem, a system for regulating effort has been developed and there has been a significant increase in exchanges of quota with other Member States.*

A considerable proportion of the fleet is made up of vessels specializing in techniques other than trawling, with bottom trawling being in widespread use.

Traditionally this technique is very opportunistic and catches in effect include pelagic fish (*horse mackerel and blue whiting*) as well as demersal and benthic species.

Spain has always been able to rely on a solidly structured fishing industry. Effective monitoring of fishing activities, at least in the sense of conservation measures, did not, on the other hand, figure among the authorities' top priorities until relatively recently.

B. Strengths and weaknesses

Resources

Spain has equipped itself with substantial sea-patrol and aerial surveillance resources. The installation of the computer systems necessary for enforcement seems to have suffered a delay, however. The human resources deployed are especially difficult to evaluate given that more than one agency is involved. Numbers have increased but, according to the information presented to the Commission, do not yet appear capable of meeting the challenges that Spain should and will face in terms of enforcement, particularly on land. The burden of monitoring international fisheries is going to add to the problem.

Organisation

Organizational problems in Spain appear to be particularly complex. Not alone do the civil and military authorities play a part and, in some cases, different ministries, both before and after landing, but there is a complex share-out of responsibilities with the regional authorities. More than in any other Member State, in Spain the Commission's inspectors have repeatedly encountered problems arising from the share-out of responsibilities.

C. Inspection of technical measures

Compliance with the technical rules governing bottom trawls and minimum catch sizes is presenting Spain with considerable long-running difficulties. The Commission notes that some regions have taken forceful action, notably to inspect the composition of hake catches. It has nonetheless failed to obtain assurances as to the effective introduction of rules determining a minimum mesh size of 65 mm and requirements for the authorization, as an exception, of other sizes. Spain has emphasized on several occasions, with just cause, the problems created for it by exports of undersized fish from other Member States, but, no more than the exporting states, and despite repeated requests to all of them to do so, has not implemented the body of rules available to it for conducting checks during transportation and at market. The problems are particularly acute in Region 3. France and Portugal, which also operate in the demersal fisheries in that region, share responsibility with Spain for the situation. However, shortcomings in enforcement in Region 3 may also prove harmful to fishermen from other Member States, especially in the case of the hake fishery in the Bay of Biscay.

D. Checks on quotas and effort

The Commission considers that the procedures and resources put in place for ensuring proper filling-in and use of logbooks, landing declarations and sales notes do not offer the necessary guarantees.

However, while direct checks on catches have not always been Spain's strong point, the existence of specific provisions aimed at limiting effort in the EEZ of the other Member States means that Spain (and, to a certain extent, Portugal) can avail itself of rules not available to the other Member States operating in the Atlantic. Effective restrictions on effort have been introduced, even if the inspection of Spanish vessels has come up against problems - although these have diminished in recent times.

E. Conclusions

The difficulties, mainly historical ones, in Spain are genuine. Progress achieved has been considerable and the Commission is anxious to point out that the type of illegal activity leading to escape from, or even clashes with, the French enforcement authorities in the Bay of Biscay does not appear to have recurred for some time. The monitoring of the NAFO fisheries has required considerable resources and energy and has proved fruitful. The Commission acknowledges therefore the efforts deployed by the Spanish authorities to secure these initial results. It is very satisfied with the cooperation shown by Spain in promoting the use of satellite surveillance techniques. It must point out, however, that much has still to be done. Future progress can only be assisted by the adoption of new general arrangements for the management of effort of a type that will dispel any feeling of discrimination in Spain. The use of modern methods such as computer systems and satellite surveillance should accelerate that progress. They will only suffice, however, if Spain allocates the necessary material and human resources to fisheries inspection.

FRANCE

I. *Inspection and monitoring of fishing activities*

A. ORGANIZATION

The *Affaires Maritimes* (AFFMAR) administration, based in the *Ministère de l'Équipement*, has responsibility for conducting the monitoring of all fishing vessels (French and non-French registered) engaged in fishing activities. Overall control for fisheries is determined from the Ministry of Agriculture. Other surveillance tasks undertaken by AFFMAR include vessel safety, pollution prevention and rescue at sea.

The *Gendarmerie Maritime* (GM), which is under the responsibility of the Ministry of Defence, is also authorised to carry out fisheries enforcement tasks such as checking fish minimum sizes, gear, landings, etc. Navy vessels are deployed for specific tasks, including enforcement, in international waters.

In addition, AFFMAR shares with the Customs Service the responsibility for monitoring aspects of the structural policy such as engine power and tonnage.

Regarding the monitoring of minimum commercial sizes, withdrawal prices and market regulations, responsibility is shared between AFFMAR, the *Fonds d'Intervention et d'Organisation des Marches des produits de la pêche maritime et des cultures marines* (FIOM), which is based in the Ministry of Agriculture, and anti-fraud services which are under the responsibility of the Finance Ministry.

Cross-checking of data concerning fleet activity is carried out by AFFMAR in collaboration with the *Centre Regional des Traitements Statistiques* (CRTS), which is under the authority of the *Ministère de l'Équipement*.

B. RESOURCES

1. Human

Personnel involved in fisheries enforcement monitor catches, landings, minimum fish sizes and technical measures and are also employed to carry out other tasks, e.g. safety at sea, pollution prevention, rescue at sea, etc.

The AFFMAR personnel based onshore is divided between *Sindics des gens de mer* (SGM) (164), inspectors of the technical arm of the *Affaires Maritimes* administration (82 personnel) (CAM/BT) and *Techniciens du contrôle des établissements de pêches maritimes* (47 personnel) (TCEPM). In addition, a limited number of GMs (42 personnel) are seconded to AFFMAR. During 1994, five new *Unités de Surveillance du Littoral* (USL), based in administrative departments, have been created thus increasing the total number of USLs to 11. They are composed of personnel from SGM, CAM/BT, TCEPM and other unidentified administrative services. Approximately 335 personnel are involved in fisheries monitoring.

2. Vessels

Eight long-range, six mid-range and twenty-one inshore fishery protection vessels are operated directly by AFFMAR . Crews total 202 persons.

3. Computerization

Different databases (fleet capacity, catches, landings, sales, etc.) are maintained by the *Centre Administrative des Affaires Maritimes* (CAAM), *Direction des Pêches Maritimes et Cultures Marines* (DPCM/BCS), CRTS, IFREMER and FIOM to cross-check and control the activity of the fleet[6].

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[6] see Annex 1

C. ACTIVITIES

On land

Eleven administrative departments have their own ULS units which are under the control of the *Directeur départemental des AFFMAR*, and these cover controls in ports and markets etc. Other departments without their own ULS units are covered by a combination of Sums, CAMs, TCEPMs and GMs, under the control of the *Chef de Quartier*.

Main infringements detected in port by nationality of vessel and type of infringement

Main infringement type	**Nationality of vessel**		
	French	Spanish	Belgian
Logbook/landing decl.	184	1	3
Prohibited gear	49	3	
Illegal fishing			
Prohibited zone	110		
Illegal catch			
Undersized fish	22		
By-catch	1		
Excessive vessel tonnage	2		

At sea

The French authorities have reported that their fishery protection vessels conducted 1 404 sea-patrol and 49 air surveillance days in ICES areas VII, VIII and the waters of French Guiana.

Total Number of vessels inspected by nationality and ICES area.

Area	Nationality					
	Belgian	Spanish	French	Dutch	UK	Other
VII	6	2	3 062	3	2	
VIII		859	4 511			
CECAF			220			63
TOTAL	**6**	**861**	**7 793**	**3**	**2**	**63**

	Nationality			
Type of Infringement	Belgian	Spanish	French	Total
Total number of vessels involved in all infringements	1	182	933	**1116**
Logbook/landing declaration	1	24	27	**52**
Illegal gear		14	128	**142**
Illegal fishing: prohibited zone	2		484	**490**
Excessive tonnage		1	1	**2**
Illegal catch: directed fishery			23	**23**
By-catch			24	**24**
Undersized fish		12	39	**51**
Unauthorised fishing		20	48	**68**
Marking of gear		11	27	**38**
Marking of vessel		1	14	**15**
Other		82	321	**401**
Total	**3**	**165**	**1136**	

There is no information given concerning the return rate of logbook information, landing declarations and sales notes, or about cross-checking of this information.

II. Evaluation

A. General

France is required to monitor a large EEZ and a long coastline. Fisheries are very varied and enforcement problems take many forms. The proportion of landings sold at auction centres has grown significantly. Computerization of auction centres and the installation of links between them are well advanced. Landings disposed of elsewhere than at auction centres continue to be considerable, particularly in the case of species with a high commercial value and from certain inshore fisheries.

In France there is demand for small-sized fish, for home consumption or export to neighbouring countries, particularly Spain.

From the point of view of quota enforcement, France is at a considerable advantage in that there are very few quotas that can really restrict catches. Since the introduction of the CFP there have even been cuts in some deep-water fleets which fished mainly for whiting in the North Sea. Quotas have had a restrictive impact, therefore, only in the case of some stocks in Norwegian waters, saithe off the west of Scotland, anchovy in the Bay of Biscay and from time to time cod and whiting stocks in the Celtic Sea. From now on the whiting fishery in the Bay of Biscay will also be affected. France, consequently, does not suffer from an overall imbalance between the capacity of its fleet and the available nominal quotas. Problems created for some stocks are nevertheless recurrent. They would be greater if, as demanded by improved stock management, a number of precautionary TACs were to be adjusted downwards.

The French fleet employs a variety of techniques. Bottom and pelagic trawling constitute separate fishing methods and gears, except in the Mediterranean. This means that certain problems encountered elsewhere, in Spain for example, can be avoided. The problems created by multispecies catches taken during a fishing haul exist nevertheless. There is even a growing tendency to use pelagic trawls when fishing for demersal species, particularly hake.

France has never regarded the physical monitoring of fisheries as a top management priority. The close links that have developed between the authorities and fishermen, undoubtedly invaluable in certain respects, have done more to promote a climate of tolerance and permit exceptions so as to protect groups, in some cases small ones, than to establish straightforward and effective monitoring.

The French authorities wish to state the following:

The situation has changed noticeably since the albacore crisis in 1994, during which the industry itself saw the necessity of conforming with developments in the Community rules (abolition of the 5-km exemption) in the general interest, while the public authorities introduced an effective monitoring system.

B. Strengths and weaknesses

France states that it has substantial physical and human resources both onshore and at sea. A precise determination of the resources genuinely allocated to enforcement is not possible, however, given the many tasks that must be undertaken by the different agencies. Great strides have been made in installing computer systems. The time required for data processing and transmission and shortcomings detected in the validation of certain catch data are evidence, however, of an alarming shortage of specialist personnel.

The French authorities are present all along the coastal areas and especially in fishing ports. The number of government departments and ministries involved is considerable, however.

The French authorities wish to add here:

Monitoring of fishing activities in France is the responsibility of services coming under several different ministerial departments. While appearing complex, the system works well in both normal times and times of crisis. In addition, it gives access to greater human and physical resources and to the assistance of staff competent in many fields and used to dealing with very diverse situations.

This applies particularly to the coastal maritime-affairs units which carry out controls at sea, on land and at the marketing stage. Because of their mobility, they are a core component in the fisheries enforcement strategy.

Events in the albacore fishery demonstrate that an operational force can be put together where there is a major problem. Cooperation in normal circumstances can be more problematical. The fact that the agencies involved have duties other than CFP enforcement means that there is a risk of their being spread too thinly. A survey of mission reports from Community inspectors indicates that strict enforcement of Community rules is not perceived to be a priority by all the agencies concerned.

Moreover, extensive mechanisms for joint responsibility involving the industry in inspection duties, on the lines of those the Netherlands is endeavouring to develop, do not generally exist for CFP enforcement. However, they do exist for certain fisheries (in particular anchovy and albacore) and for the inshore fisheries which are subject to national rules.

A law passed on 2 May 1991, in fact, confers powers on the national trade organization in the fishing industry to help it participate in a balanced management of resources.

C. Technical measures

Fishing vessels operating beyond the French EEZ are barely distinguishable from other fleets operating in the same fisheries. In a number of high-seas fisheries the problems associated with keeping small-sized fish on board, for example Norway lobster or hake, lessen the financial incentive that illegal trade in undersized fish may offer to fishermen operating far from their home port.

Illegal activities involving technical measures create particular problems in the French EEZ, and especially in the inshore fishery. The French authorities have made no real progress nor devised a convincing strategy for the future to tackle the problem of fishing for undersized hake in the Bay of Biscay. Enforcement measures are inadequate, both at sea for preventing the use of illegal mesh sizes, and in many ports for terminating the marketing of undersized fish. France has made use of the opportunities afforded by Article 13 of Regulation (EEC) No 2847/93 to take action after first marketing (during transportation) so as to control illegal

imports but not to enforce compliance with minimum mesh sizes. One would have thought it possible with a few firm measures to prevent exports to Spain of undersized fish.

The French authorities note:

> *In relation to fraud involving infringements of technical measures, the Ministry of Agriculture, Fisheries and Food is preparing a measure which will make it mandatory to display the permitted commercial sizes for fish at all points of sale.*

Specific monitoring of the length of driftnets only became effective in 1994 with the adoption of stringent measures. In 1995, there has been ample evidence that the shortcomings noted previously had now been remedied.

D. Monitoring of catches

The rate of non-returns and late returns of logbooks continues to be high. As far as the Commission is aware, France has no systematic procedure for the validation of logbooks or landing declarations, either by direct statistical analysis or cross-checking against other information sources.

France has wide-ranging scientific experience of the statistical evaluation and validation of catches, particularly insofar as the monitoring of small-vessel fishing and the evaluation of non-auction centre catches are concerned.

This experience has been under-utilized, however, and the administrative data are far from being fully exploited. The quality of French statistics, having improved, has tended to deteriorate in recent years, but to a varying degree depending on the fishery. It is unlikely that this deterioration has led to the overrun of more than a handful of special quotas, such as the anchovy quota in the Bay of Biscay. In that particular case the shortcomings were patently obvious and recurrent.

The French authorities would like to stress the following:

Concerning the rate of return of logbook sheets, the deterioration seen in 1993 and early 1994 has been reversed. The ports in which rates of return have not been good have been very clearly identified as the result of a survey conducted in 1995.

A study has also been embarked on to implement a system for forecasting landings which, once operational, should help to improve the quality of landing statistics.

E. Conclusions

Despite possessing substantial resources and having laid the material, human and administrative foundations for the effective control and up-to-date management of catch data, France still needs to improve its monitoring and inspection procedures considerably. *De facto* liberties and concessions involving a number of rules (non-compliance with minimum sizes, catches of undersized juvenile hake, negligence in keeping logbooks), taken at a time of crisis for example and now the norm, will only cease if purposeful action is taken. At present, the prosecution of infringements does not generally result in the imposition of penalties commensurate with the seriousness of the offence. Progress achieved in controlling the albacore fishery demonstrates the type of action that needs to be taken. The essential elements are in place and improvements will depend on the definition of a comprehensive strategy based on a firm desire for progress together with action to alert all parties involved to the opportunities afforded by enforcement and to the assignment of highly qualified staff to key tasks (such as informatics or statistics).

The French authorities note in this connection that they are preparing for the implementation in France of a system to manage fishing effort. All the operational services concerned with fisheries enforcement are being involved in the scheme, which is to come into effect on 1 January 1996.

IRELAND

I. *Inspection and monitoring of fishing activities*

A. ORGANIZATION

Responsibility for conducting the monitoring of all fishery vessels (Irish and non-Irish registered) engaged in fishing activities is shared between the Department of the Marine's Fisheries Inspectorate and the Naval Fisheries Protection Service. This responsibility is divided along the following lines.

- The Fisheries Inspectorate is charged with the task of carrying out inspections in port, whilst the Naval Service conducts inspections at sea through the deployment of seven fishery protection vessels.

- The fishery protection vessels are under the command of the Naval Service, which is responsible to the Ministry of Defence. These vessels are used for security and other purposes. Their fisheries responsibilities are decided jointly by the two Ministries. In practice, the vessels are deployed for fisheries purposes on request by the Ministry of the Marine.

In addition, the Department of the Marine has overall responsibility for controls relating to markets and the structural aspects of the industry. With respect to markets, the Sea Fisheries Inspectorate is assisted by a number of fish quality officers who deal specifically with the administrative and qualitative aspects of fish withdrawals. In the context of monitoring structural aspects (vessel characteristics), the Dept. of the Marine utilises the Marine Survey Office, which is an integral part of that department.

B. RESOURCES

1. Human

With respect to the Sea Fisheries Inspectorate, the Dept. of the Marine currently employs 18 Inspectors which are based in the major fishing ports in the State.

[East Coast: 2 sea fisheries officers (SFOs), 2 fish quality officers (FQOs), South Coast: 45 SFOs, West Coast: 5 SFOs and 1 FQO]

Vessel registration is managed by the Register General assisted by local Registers and department staff (one full time, 2 part-time)

2. Vessels/Aircraft

Seven fishery protection vessels are operated by the Naval Service to conduct inspections and surveillance at sea. In addition, three inshore sea fisheries surveillance craft are deployed to monitor the salmon fishery.

With respect to aerial surveillance, the Dept. of the Marine relies upon the Air Corp. Service, which during 1994 made one CASA patrol aircraft available for fisheries surveillance.

3. Computerization

Monitoring of fleet activity etc. is augmented through the creation of various computer systems, which are supplemented by a variety of computer software packages, databases, spreadsheets etc.

More specifically, the following systems are maintained:

- fishing vessel register
- fish catch reporting system (landings)
- fishing licensing system.

C. ACTIVITIES

Sea Fisheries Inspectorate

Inspection and monitoring of fishing activity is coordinated by the national Sea Fisheries Control Manager based in departmental offices in Dublin. Regional coordination is effected through three senior sea fisheries officers based in Dublin, Cork, and Killybegs respectively.

In 1994, the Sea Fisheries Inspectorate carried out a total of 10 500 inspections on land. These were divided as follows:

1 500 inspections in east coast ports
4 500 inspections in south coast ports
4 500 inspections in west coast ports.

It is not clear if these inspections are confined exclusively to landings, checks on gear, etc. or include the activities of the Inspectorate with regard to market and structural aspects or whether it includes the inspections by inshore fisheries authorities.

The port inspections detected approximately 159 infringements as indicated in the table below:

Port inspections by type of infringement and nationality of vessel			
	Nationality of vessel		
Type of offence	Irish	Spanish	UK
Logbook/landing declaration	51	5	4
Illegal gear	30		
Fishing in prohibited area	2		
Illegal catches			
Directed fishery	2		
By-catch	4		
Undersize	28		
Unauthorised fishing	1		
Marking of gear	10		
Marking of vessel	22		
TOTAL (159)	**150**	**5**	**4**

The Fisheries Officers inspect landings (35% of all landings are validated by physical checks in port and/or in auction centres) and seek to provide 100% monitoring of the landings of certain TAC and quota species (unspecified but probably herring and mackerel). Landings made by vessels under 10 metres are not registered.

The Officers also cross-check logbook and landing declarations and sales notes and monitor the transport of fish.

In addition, all nets are measured ashore twice annually.

Naval Service

The Irish authorities have reported that the seven fishery protection vessels operated by the Naval Service conducted the following patrol activities in 1994.

ICES Area of Activity	Days on Patrol
VI A	35
VI B	22
VII A	247
VII B	143
VII C	25
VII G	344
VII J	380
VII K	31
VII H	12
VIII E	17
TOTAL	1 258

Inspection at sea: by ICES area and nationality of vessel inspected

Area	Nationality							
	Belg.	Germ.	Sp.	Fren.	Irish	Dutch	UK	Other
VI		1		3	39		2	
VII	3	9	103	164	294	3	248	4
VIII					11			

Number of vessels detected in an infringement, by nationality and type of infringement

Main types of Infringement	Belg.	Germ.	Sp.	Fren.	Irish	Dutch	UK	Others
Logbook/Landing declaration	1	1	8	1	12		25	
Prohibited gear					5			
Illegal fishing: closed area					2			
Illegal catch: directed fishing			4					
Undersized fish			7		2		8	
Gear/vessel marking			1		9		1	
Other			15	14	39		24	

Aerial Surveillance

In 1994 one CASA fixed-wing aircraft was available for fisheries surveillance functions. The aircraft conducted 91 patrols over a period of 447 hours. These patrols yielded sighting information (1132 sighting) over ten different ICES zones (in particular areas VII J., VII G, VII E, VII A).

II. Evaluation

Ireland has a large exclusive fishery area in which there is a high level of activity by fishing vessels from other Member States. There is also a large number of landing places, many of which are not permanently supervised, which makes it difficult for the inspection authorities to effectively verify catch/landing declarations against physical checks on catches. In 1994 there was adequate quota allocation to provide sufficient fishing opportunities for the Irish fleet. However, the uptake of the herring and mackerel quota required close supervision.

In Ireland there is considerable difference between the way the inspection and monitoring task is performed at sea and in port. The enforcement task at sea is compounded by the size of the patrol area and the diverse nature of the different fisheries. There is, therefore, a need to maximise the efficient use and deployment of resources to ensure that Ireland discharges its surveillance and inspection obligations. In this regard, it is important to develop certain strategies which will allow the inspection authorities to focus on the most effective monitoring and enforcement measures. The Commission is aware of the efforts undertaken in recent years to monitor the activities of vessels which are registered in other Member States and which fish within Irish exclusive fishery limits.

Whereas the Irish authorities have undertaken the control and inspection of vessels engaged in the albacore fishery, and when appropriate strictly applied the Community regulations, there is, nevertheless, a requirement to sustain the inspection enforcement presence throughout the albacore season.

The inspection activities on land need to be intensified as there is still insufficient compliance with conservation measures and the pace of implementation of Council Regulation (EEC) No 2847/93 appears to be slow. Transport documents were not widely utilised in 1994. Furthermore, even though sea fishery officers are now empowered to examine the records of fish buyers, merchants, agents, etc. the Commission is not in a position to evaluate how the additional powers are relied on to detect illegal activity and to what extent such measures are invoked.

The monitoring of catches and fishing gear utilised has significantly improved in the principle landing ports. Nevertheless, the coverage of smaller ports remains inadequate. In terms of catch registration generally, there is a major difficulty created by the incomplete submission of logbooks and landing declarations. With respect to the processing of catch data, although the Irish authorities have acquired the necessary computer equipment and appropriate software to comprehensively register catch data, the expected operational efficiency has not materialised.

The Commission is aware of special problems posed by the technical monitoring of structural measures and would emphasis the importance of undertaking frequent checks within the market sector.

Conclusions

The enforcement authorities in Ireland have to overcome two challenges, which are - at sea - the extent of the Irish EEZ and - in ports - the absence of a long tradition of inspections and monitoring with respect to the control task. A real commitment has been given by the Irish authorities to overcome the problems posed. This has been facilitated by the Community financial aid programme towards the acquisition of essential equipment. In this regard, the absence of sufficient personnel to undertake the enforcement task weakens the national control system. This problem may be further aggravated with the conclusion and implementation of the Western Waters Fisheries Agreement in 1996.

ITALY

I. *Inspection and monitoring of fishing activities*

A. ORGANIZATION

Overall responsibility for monitoring and control within the fisheries sector is allocated to the Directorate-General for Fisheries, which is a separate service of the Ministry of Agriculture Resources, Food and Forestry. Prior to 1994, the service formed part of the Ministry of the Merchant Marine.

The Directorate-General for Fisheries does not have a separate fisheries inspection unit within its service but relies upon a variety of other specialised services which are under the authority of different ministries.

Land and sea inspections are conducted by the:

Guarda di Finanza	- Ministry of Finance
Polizia di Stato	- Ministry of the Interior
Arma dei Carabinieri	- Ministry of Defense
Unità Sanitarie Locali	- Ministry of Health
Local authorities	

A key role is played by the port authorities - the "*capitanerie di porto*" - which have resources to conduct inspections in port and within the territorial limits. (See further below). Logistical support with respect to sea inspections is provided by the Coastguard Service, which is part of the Ministry of Defense.

B. RESOURCES

1. Human

As noted above, a variety of public organisations carry out monitoring and control tasks with respect to fisheries. Consequently, it is difficult to estimate the approximate number of personnel allocated to the specific control tasks associated with inspection at sea and ashore.

With respect to the "*capitanerie di porto*" service, this is composed of 4 500 personnel distributed in 47 administrative units ("*compartimenti marittimi*"). Approximately 30% (1200) of its personnel deals exclusively with sea inspections to monitor compliance with national and Community measures (licences, technical measures, etc). The remainder of the service carry out a variety of control tasks ashore. It is not possible to identify or estimate with any real precision the extent to which the personnel of this service is devoted to classic control tasks as envisaged in Council Regulation (EEC) No 2847/93.

2. Vessels/Aircraft

The *capitanerie di porto* possess:
- 300 vessels of varying lengths
- 16 aircraft.

3. Computerization

No system of computerization functions at present. The Italian authorities have, however, indicated that an integrated information system is being proposed in order to link the various services involved in monitoring.

C. ACTIVITIES

1. *"Capitanerie di Porto"*

Activities at Sea

In 1994, 8 247 seagoing missions were conducted by this service. During the course of these missions, 10 793 inspections were carried out and 2 884 infringements of national/Community law were recorded. The majority of these were of an administrative nature (breach of licence conditions etc.).

Aerial surveillance

A total of 57 aerial surveillance missions were conducted in 1994.

Shore based inspection (in ports, markets, restaurants)

A total of 10 692 inspections/controls were conducted:

landings, distribution, sales	7 165
controls on gear	3 527

These controls resulted in the detection of 477 infringements, the majority of which were violations of administrative regulations.

In the course of the year the "*capitanerie di porto*" confiscated 37 727 kilograms of catch and 1 012 items of gear (not detailed in the report).

Costs incurred in 1994 amounted to LIT 9 796 831 200 lire (ECU 4.5 million).

2. *"Polizia di Stato"*

In 1994 the "*Polizia di Stato*" inspected a total of 1 700 vessels, of which 343 were fishing with driftnets. A total of 1 009 infringements (unspecified) were detected, of which 41 related to vessels using driftnets. A total of 8 vessels were seized as well as 352 nets.

3. "*Guarda di Finanza*"

No precise figures are available with respect to the number of inspections carried out. Information is available on the results of these inspections:

Infringements detected	2 060
Seizures/confiscations carried out:	
nets	1 518
quantities of fish	65 525 kilograms

II. Evaluation

Monitoring fishing activities in Italy presents a number of specific problems: the long length of the coastline and the numerous landing places. The absence of an exclusive fishery zone in Italy mitigates against rigorous controls on Italian fishermen who fish in international areas alongside foreign fishermen engaged in fishing for large pelagic species and for some demersal stocks.

Although Italy is not yet fully integrated into the control system applicable to the common fisheries policy as set out in Council Regulation (EEC) No 2847/93, the national control authorities have a number of specific monitoring functions to carry out. These include monitoring the use of driftnets, management of structural aspects of the national fishing fleet, technical measures, controls with respect to markets and the creation of an adequate/ comprehensive control system over the next three years.

A. Controls on fishing vessels using driftnets

Italy has authorised approximately 650 vessels to use driftnets and these vessels fish in both international and national waters. The large number of vessels and their wide diffusion contribute to the difficulties in adequately monitoring the use of this type of gear. It has been clearly shown that the prescribed net length (2.5 kilometres) does not generally speaking allow an economic fishery. It has consequently been found that a number of vessels have been using nets in excess of 2.5 km.

B. Management of structural and market aspects of fisheries

In their report to the Commission, the Italian control authorities have not presented sufficient information on markets and structural aspects as set out in Council Regulation (EEC) No 2847/93. Consequently, the Commission would like Italy to present this information as soon as possible.

C. Monitoring of the transport and sale of fishery products

Articles 8 and 13 require that sales notes and transport documents be designed and their use monitored in order to identify quantities of fishery products sold and transported in Italy. It appears to the Commission that these documents are not yet in use by the industry in Italy.

D. Creation of a validation system

Although Italy is not obliged to create a validation system until 1999, the Commission notes that steps are being taken by the Italian authorities to establish such a system. The early establishment of a validation system would facilitate cross-checking and would be a useful addition to national controls.

NETHERLANDS

I. *Inspection and monitoring of fishing activities*

A. ORGANISATION

The primary responsibility for monitoring fishing activities rests with the AID (General Inspection Service), which works within guidelines approved by the Ministry of Agriculture, Environment and Fisheries.

Within the inspection service, a number of inspectors are assigned to fishery inspection duties. These inspectors are based in the ports with a large auction or where a significant number of landings take place. In addition, the inspectors are supported by administrative support staff in the district offices and at headquarters.

The AID inspection services monitor the registration of catches, technical measures, licences and some aspects of markets and structures.

The inspections at sea are carried out by the AID, which itself has no inspection platforms, in cooperation with the Royal Navy, customs and police.

The technical monitoring of market measures is carried out by the "*Produkschap Vis*", and infringements are reported to the AID for further action.

B. RESOURCES

Human

The inspectorate has a staff of 58 inspectors divided between the main fishing ports. In addition, the inspectorate was assisted for a total of 37 500 hours by private security agents.

Vessels/aircraft

In addition to the vessels provided by customs and police, 3 minesweepers are used. In 1994, the minesweepers conducted 80 days of sea inspections while the customs/police conducted 106 days.

Aerial surveillance was conducted by the Navy and the police service. A total of 438 hours was devoted to aerial surveillance.

Computerization

The following computer systems are in operation:

VIRIS I : monitoring of the national and individual allocated quotas

COVIS : registration of catch and sales information together with control findings and detailed information on fishing trips. Corrections on catch information are sent to VIRIS I.

CVR : registration and specification of fishing vessels

C-Day : registration of consumption of days at sea

COBRA : registration of controls and fixing of penalties.

C. ACTIVITIES

A total of 91 255 control hours were carried out. On average controls covered approximately 12% of the total of 32 785 landings recorded. The level of control was the highest for the sole and plaice fisheries.

Summary of controls and infringements by Member State in the Dutch North Sea E.E.Z.

Member State	NL	B	D	DK	F	UK	Other
Physical controls	191	30	13	7	0	4	2
Air/sea sightings	N/A	127	54	98	1	87	0
Infringements	44	7	4	2	1	--	2

Validation of landings, auction data, etc.

All data from logbooks, sales information of auctions and landing declarations are compared in self-operating computer systems (100% cross-checking). In addition, for each vessel and for each fishing trip total catches in live weight are calculated per species.

Monitoring of structural measures

All fishing vessels must be registered in the Central Fishery Register.

After registration a licence stipulates the fish species which may be targeted.

Special documents are needed for fishing on quota species in general.

A system of individual transferable quotas or group transferable quotas regulates the fisheries in certain quota species.

A days-at-sea regulation limits the fishing effort per category for each vessel.

Technical Monitoring of Market Measures

Fresh fish presented for sale must be sold through an auction.

After sorting, each lot is examined by a agent of the "*Produktschap Vis*" taking into account the grading and freshness of the fish. Controls on sizes are carried out on a sampled basis and through random checks.

The producer organizations each year establish the withdrawal prices for the different products.

Agents of the "*Produktschap Vis*" monitor compliance with withdrawal prices and each intervention is recorded and transmitted to the producer organisations.

All sales information is subject to an administrative follow up.

Physical control of the withdrawal process is carried out on a sample basis and in 1994 no irregularities were detected.

II. Evaluation

A. General

Quota management is mainly directed to three fleet categories, i.e. beam trawlers, a small number of specialized demersal vessels and pelagic freezer-trawlers. There is a potential overcapacity particularly in the beam trawler fleet. The pelagic fleet has shifted capacity from its traditional herring/mackerel fishery to species such as blue whiting and horse mackerel.

The current quota management scheme and system of monitoring landings was introduced a few years ago, as a result of extensive discussions with the fishing industry, in order to stop the practice of unrecorded landings. These arrangements are based, in particular, on a limitation of fishing days to those necessary to catch vessel quotas as well as on the commitment of the fishing industry to market all quantities landed through auctions. Therefore, the fishing industry is co-responsible for the proper implementation of the agreed arrangements. Oversight and monitoring of quota compliance is the job of the AID.

The EEZ covers a limited part of the North Sea. The coastline is relatively long and a number of ports (some which are located away from the coast) can be accessed by fishing vessels. Fishing vessels are only authorized to land their catches in designated ports after being authorized to do so by the competent authorities.

A limited number of landings also takes place in other Member States, although these quantities are often offered for first sale in the Netherlands. Vessels from other Member States as well as third-country vessels land their catch frequently in the Netherlands.

B. Strengths and weaknesses

The reliability of catch recording has improved over recent years mainly because of reinforced quota management measures and an improved monitoring system. This seems in particular to be true for total quantities. The proper recording of catches by area cannot be guaranteed in all cases. Fishing effort has been adjusted on an individual basis to the allocated fishing possibilities, notably by reducing the number of fishing days. Dutch fisherman have also formed voluntary management groups. These are associations with their own articles of association and internal rules of procedure. These lay down, inter alia, that a fishing plan is to be drawn up and that all fish is to be sold through auctions. Also laid down is the fact that infringements of these arrangements can be sanctioned internally, in addition to any procedure in public law, and fines are specified. Landings are subject to administrative and physical inspection. Catch recording is fully computerized. Catch data, landing data and sales note data are cross-checked.

Taking into account the role which some fishing ports play in the distribution of fish in Europe, the physical organization of landings and marketing in fishing ports seems not very transparent. AID's controls are systematic, in the sense that the whole chain from landing to sale is followed round the clock. This is to prevent landings from going unreported. The AID supplements this with checks at business premises. In such cases, fishery inspectors may be accompanied by officials from other specialised inspection agencies such as customs, tax officers and police.

Aerial surveillance is carried out by the Navy and the police, whilst surveillance at sea is carried out by the Navy and by coastguard vessels operated by customs and the police. AID officials are always present during these controls and they carry out the actual controls themselves. However, the limited use made of these surveillance means suggests that fisheries inspection is not their priority.

C. Conclusions

The Commission has observed over recent years a real improvement in catch recording in the Netherlands. It is following with great interest the experience being gathered in the Netherlands, in particular the co-responsibility of the fishing industry in enforcing its commitment to market all quantities landed through auctions.

The efficiency of the current arrangements has to be observed under varying levels of resource abundance to be able to assess the real strength of all components of the scheme.

PORTUGAL

I. *Inspection and monitoring of fishing activities*

A. ORGANIZATION

In Portugal a number of different departments and public organizations have responsibility for and authority to monitor fishing activities.
These are listed below.

1. Directorate-General for Fisheries
   - Inspection Service Department (DEI)
   - Structural Service Department (DE)
2. Maritime Authority (ADAR)
3. Inspection Brigade of National Guard (B)
4. Inspectorate-General for Economic Activities (AG)
5. Directorate-General for Customs (DAG)
6. Directorate-General for Ports, Navigation, Transport, Maritime Safety (INS)

All these organizations are involved to a greater or lesser extent in control and monitoring functions.

The DEI is a separate department of the Directorate-General of Fisheries (Ministry of the Sea) and operates all along the coast, visiting ports and coordinating control activities with respect to landings in particular.

The other five organizations listed above devote some of their resources and time to specific aspects of fishing industry.

For example, the ADAR works along with the inspectors of DEI in the context of controls on fishing gear and vessel characteristics, whilst the agents of the INS are involved in monitoring the construction or modification of vessels granted fishing licences.

Sea inspections are carried out by the Naval Service, which is under the control of the Ministry of Defence.

Patrol activity at sea is conducted at the request of the Ministry of the Sea, as is aerial surveillance is provided by the Air Force. The three services are linked through a series of computer networks which exchange information on sightings and boarding (see further below).

Responsibility for monitoring the market and structural aspects of fisheries is also widely diffused. With respect to markets the following four organizations have specific responsibilities :

- Directorate General for Fisheries - Market and Quality Service Dept - DSM.
- " " - Inspection Service Dept. - DEI
- Inspection Brigade of the Republican National Guard - B
- Inspectorate General for Economic Activities (AG).

Specialised services from the organizations listed above monitor marketing standard, prices, withdrawals and fish quality.

Structural aspects - surveillance of fishing capacity and its modifications - are the responsibility of:

- Directorate-General for Fisheries - Structural Service Dept. - DE,
- Maritime Authority Agents (based in ports) - ADAR,
- Directorate-General of Ports Navigation and Maritime Transport Inspection and Maritime Safety - INS
- Fishing capacity (including adjustment of fishing activities) is monitored by means of joint action by the DE, the ADAR and INS.

B. RESOURCES

1. Human

The following table shows the number of inspectors and/or inspection agents from the various public authorities with responsibility for monitoring fishing activities by region of the country.

	NORTH (Valanca- Peniche)	CENTRE (Ericeira-Sesembra)	SOUTH * (Setúbal - U.R. São Antonio)
Authority	Number of inspectors		
DGP	-	12.**	-
ADAR	25	18	42
B	36	21	40
AG	21	24	25
DAG	8	1	6

The ADAR performs other duties besides monitoring fishing activities and has a total of approximately 491 inspectors engaged in a wide range of monitoring activities. Equally, the B, AG and DAG allocate a small percentage of their overall personnel (approximately 2 500 inspectors) to monitoring fishing activities.

* includes Autonomous Regions of the Azores and Madeira.

** These are the Fisheries Inspectors from the Inspection Service Department of the DGP, based in Lisbon and who operate all along the main land coast as a type of "flying squad".

2. Vessels/aircraft

The number of vessels from the Ministry of Defence/Navy carrying out inspection duties at sea is set out below, per type of vessel.

"CACINE" class patrol boats	10
"João Coutenho" class corvettes	6
"Baptista Anrade" class corvettes	4
"Albatroz" class fast launches	5
"Dragas" class fast launches	5
Other inspection vessels (unspecified)	41
Total	71

These vessels, apart from fishery inspection duties, carry out mainly military and search and rescue operations.

Aircraft

Three Casa 100 AVIOCAR aircraft are deployed for aerial surveillance/inspection duties.

3. Computerization

The computer resources and network of the DGP, the Navy and Airforce are set out below.

<table>
<tr><td colspan="4">DIRECTORATE-GENERAL FOR FISHERIES
FISHING ACTIVITIES INSPECTION DEPARTMENT
SIFICAP
SYSTEM OF INSPECTION AND
MONITORING FOR FISHING ACTIVITIES
STRUCTURE/LINK WITH THE NAVY AND AIR FORCE</td></tr>
<tr><td rowspan="2"></td><td>NAVY</td><td>X - 25</td><td>AIR FORCE</td></tr>
<tr><td>B D
SIFICAP
(Oracle)</td><td>S C C</td><td>B N D P</td></tr>
<tr><td></td><td>Fleet
Licensing
Missions
Activity/Results</td><td>Unix - 5000/85
Unix - 6000/65
SunSparc2 - scc-G1
SunSparc2 - scc-G*
SunSparc2 - scc-G3</td><td>2 NCR 32/650
Unix 5000/95</td></tr>
<tr><td>SCC - Central Monitoring System

BD - SISIFICAP Data Base

BNDP - National Fisheries Data Base</td><td></td><td></td><td>Fleet
Licensing
PIDDAC
EAGGF
Market sales
Aquaculture
Financial compensation and forfeiture
Oil refunds
Processed product production</td></tr>
</table>

PORTUGUESE NAVY
STRUCTURE OF NAVAL SECTION - SIFICAP

SCC	B.D.		B.N.D.P.	
DGP Fishing Activities Monitoring Department	SIFICAP		DGP Directorate- General for Fisheries	
X - 25	EMGFA	(standard-C)	Navy section	.
		EPM 1		
		MAIN NAVAL STATION	ETMs	
	DGM			27 vessels
		1 Unisys 5000/55 1 Microcomputer 1 Graphics station 4 Printers		Standard-C Grid 1530 Printer
	COMMAND DISTRICTS			
	ETT	ETT	ETT	ETT
	CZM-North Unisys PW 800	CZM-South Unisys PW 800	CZM-Azores Unisys PW 800	CZM-Madeira Unisys PW 800

BD	- SIFICAP Data Base
SCC	- Central Monitoring Service
BNDP	- National Fisheries Data Base
EMGFA	- Armed Forces General Staff Headquarters
EPM1	- Main Naval Station
ETT	- Land Terminal Station
EMT	- Mobile Terminal Station
DGM	- Navy Department
CZM	- Maritime Area Command

PORTUGUESE AIR FORCE STRUCTURE /LINK WITH AIR SECTION-SIFICAP				
SCC	B.D.		B.N.D.P.	
DGP Fishing Activities Monitoring Department	SIFICAP		DGP Directorate-General for Fisheries	
	Emgfa	AERO - C (standard-C)	Air section	
X - 25	EPA 1 Air Force operational command			3 ETM
				3 Casa 100 3 MSs 3 Grid 1530/Xenix
		Unisys 5000/Xenix/X-25 Sun Sparc2/Xenix/X-25		Standard-C Grid 1530 Printer
		ETT-1	ETT	ETT
		SINTRA/ MAINLAND Unisys PW 800 /MSS Unisys PW 800 /Xenix/X-25 Unisys MP14666/Dos	PORTO SANTO /MADEIRA Unisys PW 800 /Xenix/X-25 Unisys MP 14666/Dos	LAJES/AZORES Unisys PW800 /Xenix/X-25 Unisys MP 14666/Dos

BD	- SIFICAP Data Base
SCC	- Central Monitoring Service
BNDP	- National Fisheries Data Base
EMGFA	- Armed Forces General Staff Headquarters
EPM1	- Main Naval Station
ETT	- Land Terminal Station
EMT	- Mobile Terminal Station
DGM	- Navy Department
CZM	- Maritime Area Command

C. ACTIVITIES

1. Inspection Services

The table below shows the number of port inspections made in 1994, per region of the country.

	NORTH Valance- Peniche	CENTRE Ericeira- Sesembra	SOUTH Setúbal U.R São Antonio Azores/Madeira	**Total**
Authority	N° of inspectors			
DGP	957	203	877	**2037**
ADAR	2861	2233	3560	**8654**
B	1978	1176	2209	**5363**
AG	3360	3840	4594	**11794**
DAG	251	2	241	**494**
Total	9407	74541	11481	26342

These inspections identified a total of 820 infringements divided into the following main categories:

- Failing to place fish in the registered auction centre
- Use of prohibited gear
- Logbook/landing declaration (irregularity)
- Minimum size violations
- Fishing without a licence
- Fishing in a prohibited area

The table below shows the number of inspection days at sea per ICES division and per class of inspection vessel deployed.

AREA	PATROLS	CORVETTES	FAST LAUNCHES	OTHERS
Mainland (ICES IX,a,b)	400	365	1 624	1 109
Madeira (CECAF)	438	-	-	60
AZORES (ICES X)	-	298	-	63
Total	**838**	**663**	**1,624**	**1 232**

INSPECTION DAYS AT SEA/VESSELS INSPECTED		
AREA	INSPECTION DAYS	VESSELS INSPECTED
ICES IX a,b	3 498	8 000
ICES X	361	282
CECAF	498	48
TOTAL	**4 357**	**8 330**

The inspections at sea detected 181 vessels having committed an infringement of national or Community rules.

2. Aerial surveillance

The table below details the aerial inspection of fishery activities per ICES division.

Area	N° of flying hours	N° of Missions	Aerial Detections	Inspected violations	Prosecutions
Mainland	367'15"	126	747	195	117
Madeira	93'35"	22	59	8	3
Azores	166'35"	33	135	11	3
Total	**627'35"**	**181**	**941**	**214**	**123**

The table below details the aerial inspection activity per aircraft and the respective result.

Aircraft	Flying hours	Number of Missions	Sightings
1	158	56	320
2	184'35"	60	372
3	285	65	249

On the basis of aerial surveillance a total of 123 vessels were identified as having committed the following infringements:

fishing in a prohibited zone 61
fishing without a licence 60
other 2

Landings checked on unloading or at fish markets

In 1994, approximately 440 000 landings were made by fishing vessels in national ports. Under Portuguese law the first sale of fresh or frozen fish must be held in a registered fish market and in 1994 approximately 80% of fish offered for sale was sold in a fish market which quantities were inspected by *Doca pesca*.

The various national inspection authorities monitored approximately thirty to thirty five percent of all landings.

Verification of landings by means of cross-checks

Monitoring by means of cross-checking data from logbooks, landing declarations and sales notes was carried out with respect to the deep-sea fishing fleet and the inshore crustacean trawl fleet operating in Portuguese waters. The percentage of landings cross-checked was 100% with respect to the fleets operating in the NAFO area off Norway and Spitzbergen and 60% with respect to the crustacean fleet.

II. Evaluation

A. General

Portugal has a very large EEZ. The narrowness of the continental shelf reduces the true extent of the fishing grounds considerably, however, apart from those for large pelagic species.

The coastline of mainland Portugal is moderately long.

The market is typically southern European with demand for a wide range of species, including small-sized fish.

Despite the setting of precautionary TACs, management by quota places serious constraints on the Portuguese hake and megrim fisheries.

Another characteristic feature of the Portuguese fisheries is the lightness of the trawl employed. Static gear is used generally to fish for demersal species while purse seines take precedence in the small pelagic fisheries. The Portuguese fleet also includes a number of bottom trawlers which fish for a wide range of species.

B. Strengths and weaknesses

Means available for and assigned to monitoring

The twelve inspectors directly responsible for inspection duties are too few in number to be able to act at the appropriate time at all landing places. The wide range of tasks that must be undertaken by the other agencies which may be involved rules out any quantitative assessment of their actual contribution to enforcement. In addition, the monitoring of catches in the NAFO zone and the waters of non-member countries restricts the resources allocated to inspection of catches from Community waters.

Portugal is able to avail itself of considerable sea-patrol and aerial surveillance resources and assigns substantial effort to fisheries protection.

It can avail itself of considerable data-processing and satellite-tracking resources.

Organisation

More so perhaps than in any other Member State, fisheries protection arrangements in Portugal are complicated by the involvement of a large number of agencies - if only in the compiling of statistics - and by the many tasks which most of these agencies undertake.

The requirement that a large proportion of catches be marketed at auction centres is expected to make enforcement more effective.

C. Monitoring of technical measures

In the demersal fisheries, problems arise mainly in the case of trawling, as mentioned above. It is up to Portugal to define a strategy for preventing the use of illegal mesh sizes. The extent of the problem is reduced, however, by the size of the fleets in question and by the introduction of boxes for hake. Substantial effort appears to have been invested and considerable progress achieved in monitoring these boxes. Aerial surveillance, in particular, has been used, and satellite tracking undoubtedly makes the task easier. The existence of these boxes will not, however, mean that Member States do not have to monitor the other technical measures contained in the Community rules.

In the case of pelagic species, steps will have to be taken to put an end to the liberties that fishermen have been taking regarding lawful minimum sizes.

D. Monitoring of catches

As far as the Commission is concerned, the procedure for converting landing declarations and logbooks into comprehensive statistics is not sufficiently reliable. Methods of validating the data contained in these documents have yet to be devised and estimates of the proportion of sales not recorded are too subjective. Doubts raised by the overall shortcomings of catch monitoring are especially serious in the case of stocks for which official catch statistics disclose a very high level of uptake.

While Portugal has been a pioneer in the use of satellite surveillance, the installation of this type of equipment on board fishing vessels is still too recent and fragmentary to prevent unlawful landings or represent a real tightening-up of catch control.

E. Conclusions

Portugal has the requirements necessary to achieve rapid progress: catches must be sold at public auction centres, an extensive satellite monitoring network is in place and quotas can be exchanged with France, thus enabling it to offset the difficulties created by a number of very restricted quotas. It will still be necessary that quota exchanges with France do not shift the difficulties from one species to another (we are thinking mainly of anchovy), that the necessary human resources be deployed and that coordination problems between services do not result in the effectiveness of the arrangements being undermined.

UNITED KINGDOM

I. *Inspection and monitoring of fishing activities*

A. ORGANIZATION

Responsibility for monitoring and enforcement is shared between four UK Departments:

- Ministry of Agriculture, Fisheries and Food (MAFF)
- Welsh Office Agriculture Department (WOAD)
- Scottish Office Agriculture and Fisheries Departments (SOAFD)
- Department of Agriculture for Northern Ireland (DANI)

In England and Wales surveillance and enforcement are undertaken by MAFF's Sea Fisheries Inspectorate assisted by the Royal Navy; in Scotland by the Scottish Fisheries Protection Agency (an executive agency of the Scottish Office) using its own ships and also with support from the Royal Navy; and in Northern Ireland by DANI's own Fisheries Inspectorate. Both MAFF and SFPA use aerial surveillance. The Inspectorates are charged with enforcing both national and Community fisheries legislation.

Limited enforcement duties in England and Wales are also carried out by the various Sea Fisheries Committees (SFC). The SFCs operate independently of both MAFF and WOAD and their jurisdiction extends as far as the six-mile limit. Whilst the main task of the SFCs is to enforce local by-laws promoting and regulating fishing activities, they are also authorised to enforce certain technical conservation measures (minimum landing and mesh sizes) adopted nationally or by the European Union and, in that capacity, cooperate with the MAFF Sea Fisheries Inspectorate.

The Sea Fisheries Inspectorate is also responsible for monitoring both marketing and structural measures. Monitoring of the former consists of controls on marketing standards involving both visual and specified sampling checks of fish offered for sale and checks on price arrangements in the context of fish withdrawn from sale.
In the context of monitoring structural measures, the Sea Fisheries Inspectorate assist specialised services located in MAFF WOAD, SOAFD and DANI.

B. RESOURCES

1. Human

In order to discharge the various tasks assigned to it, the Sea Fisheries Inspectorate has a total of 169 shore-based inspectors. These are divided as follows.

- England and Wales 81
- Scotland 71
- Northern Ireland 17

Inspectors are located in districts/areas.

ENGLAND		SCOTLAND		NORTHERN IRELAND
North East	10	North	10	17
Humberside	2	North East	11	
East	7	Moray Firth	13	
South East	12	East	7	
		South East	8	
South West	10	South West	9	
West	7			
Wales	6			
North West	6	North West	13	
Head office	11			
Total	**81**		**71**	**17**

2. Vessels/aircraft

A total of 17 inspections vessels are deployed for enforcement purposes in the following manner:

Department	Number
MAFF	7 vessels operated and provided by Royal Navy
SFPA	2 " " " " "
SFPA	7 vessels owned and operated by SFPA
DANI	1 inshore vessel owned and operated by DANI

With respect to the number of aircraft available for surveillance, 5 were put at the disposal of MAFF and SFPA in 1994.

SUMMARY OF EQUIPMENT AND SOFTWARE USED IN THE COLLECTION, PROCESSING AND ANALYSIS OF DATA REQUIRED BY THE CONTROL REGULATION - 1994.

MAFF (covering England and Wales)

Statistics required by the control Regulation are collected mainly by Inspectorate staff at port offices, manually checked and keyed into micro-computers connected to the main government databases. Data is again checked before being reflected on the main databases (which hold vessel information for England, Wales and Northern Ireland). Further credibility checks are applied by the Fisheries Statistics Unit, who compile the catch and landings statistics to meet EC regulatory requirements.

HARDWARE	SOFTWARE
Headquarters Statistics Unit Compaq System PRO XL Fileserver 9 PCs (Siemens Nixdorf and Compaq 486) connected to Fileserver, MAFFNET and 6 main control, landings and vessel databases Several high quality printers	SCO-UNIX SPSS connected to MAFFNET EXCEL, SPSS, Word for Windows, Powerpoint, Access, Lotus Spreadsheet, Reflections, Relay Gold, anti-virus. PC mail
DFR Lowestoft processing catch statistics Digital VAX cluster - Vax 17610 Vax 6510. Micro Vax 3100. HSJ disk storage array Ethernet LAN connecting to MAFF net WAN (for remote access by SFI and HQ) INGRES relational database management system Transfer of data from DFR to Guildford (MAFF IT HQ) - IBM-compatible PC	INGRES ABF/VISION application. FORTRAN programmes Digital pathworks networking software Relay Gold file transfer software.
SFI Licensing Desk (HQ) and Port Offices 37 Apricot Xen PC 15 Apricot Xen LS II 17 Siemens Nixdorf PC 1 Compaq PC (486)	Microsoft Office, Anti-virus, Reflections 4, bespoke Ingres V6 package for data entry. PC-mail (X 400)

SFPA and Scottish Office Agricultural Dept (SOAFD) (covering Scotland)

The current system uses facilities on a central Scottish Office IBM mainframe computer. The facilities listed below are being developed to fulfil the requirements of the control Regulation. The equipment is in place and is being used to capture information for the existing system. A new database is under development which should be operational early in 1995.

Equipment

There are some 36 microcomputers at the 22 port offices to capture information on fishing activities (and to issue licences). The full system will allow linkage to the central processor and local offices will be able to access the central database, mainly through pre-written interrogations using ORACLE. The HQ network has two file-servers available. The new Fisheries Information System (FIN) database will be held on an ICL DRS6000 Level 750 server and is being developed in ORACLE. This server also supports database and SAS software. An ICL DRS6000 Level 450 file server supports the ICI Team Office software providing e-mail facilities etc. Back-up and archiving is to tape. There are 26 ICL ErgoPro D433d(486) machines with 20 mb RAM and 6 ICL 486 machines with 16mb RAM on the Headquarters network supporting the activities of the Fisheries Group. The machines are fully networked. The main access to the FIN database will be through pre-written ORACLE functions but, in addition, 4 machines are equipped with a wide range of SAS software for use by the Statistics Unit. Additional machines (currently used for development) will be added to the network as the system nears completion. The network supports a variety of good quality printers and further ancillary facilities. The hardware and software is itemised below for ease of reference.

HARDWARE	SOFTWARE
Headquarters ICL DRS6000 Level 750 file server	Database and SAS software. Fisheries Information System (FIN) to be developed in ORACLE (from early 1995)
ICL DRS 6000 Level 450 file server Backup/archiving on tape	ICL Team Office software (e-mail etc)
26 ICL Ergo PRO D433 (486) - 20 mb RAM 6 ICL 486 CX - 16 mb RAM (networked) several high quality printers	ORACLE packages and SAS software on 4 of these machines. These machines will access the FIN database from early 1995 which will contain landings, sightings, boardings and prosecution information. The number of machines and the exact functions available are yet to be decided.
Ports 36 microcomputers (ICL Ergo PRO D4/25 d (486) - 16/20 mb RAM and Hewlet Packard Laserjet 4si printers	Database. Windows, Microsoft Office.

DANI (covering Northern Ireland)

In Northern Ireland statistics are also collected, checked and keyed into microcomputers by port staff connected to a central mainframe database. Links with MAFF's database are being progressed for periodic capture of this data.

HARDWARE	SOFTWARE
Headquarters OLIVETI M380-XP9 (File Server)	Database management/application software - SIR 3.2. SAS 6.03 Network software NOVELL 2.2
WANG PC 321/16 & 1414 monitor	(operating system DOS 5.0.) comms : MASS BREAKOUT REFLECTIONS 2 BREAKOUT REPRO BREAKOUT PLUS Anti-virus : DR SOLOMONS J2, catch and validation programmes written by DANI in DATAFLEX
OLIVETTI PC M290-30 incl. monitor (with tape streamer)	TAPE backup software NOVELL software to access server
NEWBURN PC : 486 DX 33 incl VGA monitor	NOVELL software to access server
2 no Olivetti PC M290-30 incl. monitor LASERJET III printer EPSON FX-1050 dot-matrix printer	As Newburn machine - contingency port PC (see below)
(COMPAQ PC : DESKPRO 4/33i incl. monitor.	provided by MAFF for MAFF net WAN development.
Ports Portavogie. Ardglass. Kilkeel. Londonderry. WANG PC 321/168 & 1414 monitor	Operating system : DOS 5.0 Comms : REPRO(DATAFLEX internal modem) J2, catch & validation programmes written by DANI in DATAFLEX.

C. ACTIVITIES

1. Inspections on land

In 1994, the Sea Fisheries Inspectorate conducted a total of 12 434 inspections on fishing vessels in United Kingdom ports. In addition, a further 64 044 inspections/checks were carried out at auctions, markets and in the offices of fish merchants and agents. The majority of vessel inspections took place in Scotland (in the North and, North East Districts 8.774) while 2.768 and 892 were undertaken in England/Wales and Northern Ireland respectively.

Inspections in ports

Infringements detected during port inspections by nationality of vessel

Main types of infringement	Nationality		
	Belgian	**Danish**	**British**
Logbook/landing declaration	1	1	776
Prohibited gear			19
Undersized fish			106
Unauthorised fishing			2
Vessel marking			1
Other		1	2
Total (909)	**1**	**2**	**906**

In addition to conducting inspections in port, the Sea Fisheries Inspectorate is also engaged in the cross-checking and validation of logbook and sales notes/landing declarations. While no precise figures are available on the percentage of total landings validated by physical checks on the vessels discharging, catches are physically checked wherever possible. On the other hand, auctions are visited by the Inspectorate on a regular basis and particular attention is paid to the detection and inspection of off-market landings.

In 1994, the Sea Fisheries Inspectorate conducted random checks to monitor compliance with the transport-of-fish provisions of Council Regulation (EEC) No 2847/93. No details are available as to the results of these checks.

2. Inspections at sea

At sea, the 17 fishery inspection vessels at the disposal of the national control authorities made 4 509 boarding of which 2 495 were on national and 2 014 were on foreign vessels.

The following table indicates the number of areas patrolled, the duration of patrols and the number of boarding of UK and non-UK vessels during 1994.

ICES Area	N° of days in area	N° of boarding in UK	non-UK vessels
IIa	5	0	4
IV	1 469	1 420	935
Vb	5	0	1
VIa VIb	837	659	560
VII	728	415	513
VIII	51	1	1
TOTAL	**3 095**	**2 495**	**2 014**

Inspection at sea

Total number of vessels (by nationality) detected in an infringement (343).

	Nationality								
Main types of infringment	**UK**	**Belg.**	**Ger**	**Dan.**	**Span.**	**Fren.**	**Irish**	**Dut .**	**Total**
N° of vessels showing infringement	10	19	2	15	8	32	56	8	**150**
Logbook/land. declaration	28	11	1	5	6	15	1	4	**71**
Prohibited gear	30	7		1	2	6	2	3	**51**

Nationality									
Main types of infringment	**UK**	**Belg.**	**Ger**	**Dan.**	**Span.**	**Fren.**	**Irish**	**Dut.**	**Total**
Illegal fishing Prohibited area	1	2				2			**5**
Illegal catches Directed fishery				3				1	**4**
By-catches	1			1			1		**3**
Undersized fish	13	3			5	2			**23**
Marking of vessel	10	1				16	1	2	**30**
Other	26			6	1		1		**34**
Total	**119**	**43**	**3**	**31**	**22**	**73**	**62**	**18**	**371**

2. Results of aerial surveillance by area

With respect to the aerial surveillance conducted by the aircraft at the disposal of the national control authorities, the following table indicates the location and results achieved in 1994.

ICES AREA	Number of sightings of UK vessels	Number of sightings of foreign vessels
IIa	0	6
IVa	8 632	1 575
IVb	6 026	2 104
IVc	663	1 172
Vb	0	15
VIa	3 759	1 491
VIb	43	52
VIIa	4 276	464
VIId	941	861
VIIe	2 171	845
VIIf	923	543
VIIg	338	1 863
VIIh	2.3	859
VIIj	36	561
VIII	5	23
Total	**28 016**	**12 434**

II. Evaluation

A. General

The United Kingdom has a well developed national fishery control system, which is matched by the allocation of substantial resources. These resources have to be seen against the background characterizing the UK fisheries sector: the UK has a coastline of some 16 000 km and some 850 000 km^2 of water under her jurisdiction. At 1 January 1995, the UK fishing fleet comprised some 3 000 licensed vessels over 10 metres, and a further 5 800 licensed vessels under 10 metres which mainly fish inshore within the 6 mile limit. There are over 450 locations at which fish may be landed and more than 1 500 businesses engaged in the merchandising, processing, distribution or transportation of fish. In addition to UK vessels, up to 1 000 vessels from other Member States and non-member countries fish in UK waters.

B. Strengths and weaknesses

The regional significance of the different fisheries certainly varies considerably. This does not, however, justify the major disparity between the number of quayside inspections/checks of vessels undertaken in Scotland (North and North East District) and the number of quayside inspections/checks of vessels undertaken elsewhere in the United Kingdom. This disparity may partly reflect the different levels of fishing activity and be affected by the division of inspection competence among several different authorities, if they are not using the same definition of inspection.

> *The United Kingdom authorities have stated that the main reason for the disparity is the absence of standard definitions for land-based inspections and of a comprehensive recording system for inspectoral activity in England and Wales. In their view the development of standard definitions for inspectoral activity is an issue which needs to be pursued on a Community-wide basis, otherwise it is not possible to make meaningful comparisons of enforcement activity between one Member State and another. This is already evident from the material which the Commission publishes annually on vessel inspections at sea and prosecutions. So far as the situation within the UK is concerned, it has not been considered necessary in the past to maintain a complete inventory of the checks undertaken by the Sea Fisheries Inspectorate for England and Wales. The situation is being reviewed and changes are likely to be instituted during the course of 1996 which will bear fruit in 1997 and be reflected in the annual report on enforcement activity to be submitted in 1998.*

The majority of offences detected and prosecuted in the United Kingdom during 1994 related to apparent infringements committed and detected at sea or as a result of quayside inspections/checks. On the other hand, there appears to be less inspection effort/checks and follow-up action undertaken at certain auctions, markets, merchants, agents etc., which might partly be a consequence of the concentration of distribution centres and other downstream infrastructure in particular districts (e.g. North West District). However, the UK report states that precise figures cannot be given for the percentage of total landings validated by physical checks on vessels and in auctions. The figures presented in the UK report may not, therefore, reflect reality in all cases. On the other hand, the importance of undertaking inspections/checks in the downstream sector is emphasised by the tendency of vessels to land catches as close as possible to the fishing grounds, sometimes at ports which are not permanently supervised, which makes it difficult for the inspection authorities to verify logbooks/landing declarations.

The validation of information provided in logbooks, landing declarations and sales notes needs to be consistently supplemented with regular physical checks on fishing vessels and in the auctions. In this regard, the United Kingdom is unable to provide precise figures on the percentage of total landings cross-checked accordingly. On the other hand, the checking of transport documentation, which appeared to be limited in 1994, will assist in verifying that catches landed are properly accounted for in logbooks and landing declarations.

> *It is the view of the United Kingdom authorities that enforcement activity should be focused at sea and at the point of landing. Their experience has shown that it is difficult, time-consuming and costly to bring successful enforcement action based on checks undertaken after the point of landing. This reflects the need to satisfy rigorous evidential standards in the UK courts. There is little to be achieved from carrying out inspections if they are unlikely to have an impact on compliance by being backed by successful court action.*

The Commission notes the special problems posed in monitoring the activities of British-registered vessels which land substantial volumes of their catches in other Member States and the initiatives undertaken on a bilateral basis to achieve satisfactory solutions and to ensure compliance with quotas.

The technical monitoring of structural measures is undertaken by different organisations in the United Kingdom. The technical monitoring of marketing standards has posed special problems where the standards have conflicted with traditional trading practice.

In its report, the United Kingdom states that the enforcement action taken has a significant deterrent effect on preventing illegal activity although it is not possible to quantify the level of deterrence. It is the Commission's view that it is important to develop certain parameters which will allow it to focus on the most effective monitoring and enforcement measures.

The Commission acknowledges the efficient and competent manner with which the United Kingdom has tackled the enforcement task at sea and, in particular, the steps that have been taken to improve the monitoring of the albacore fishery. However, despite the considerable experience of the competent authorities in the United Kingdom and the significant resources deployed for controlling fishing activities, "black landings" have been reported from several important fisheries in recent years. From the enforcement perspective, this indicates that when quota restrictions are set without effective effort limitations, then catch limitations are extremely difficult to implement. It is anticipated by the Commission that the administrative inquiry undertaken in Scotland, during 1994/1995, to investigate the landing of catches which may not have been properly accounted for under national quota allocations, will result in appropriate remedial action which will prevent the reoccurrence of this problem.

C. Conclusions

Apart from some shortcomings, in particular concerning the closure of fisheries and the prosecution of infringements, the means and the commitment invested in control and inspection in the UK provide an example of how the CFP should be enforced. On the other hand, the UK will have to undertake supplementary efforts to further adapt its capacities to available resources.

ANNEX II - TABLES

Table 1

Means theoretically available for fisheries control in the Member States

Member State	Inspectors	Vessels	Planes	Helicopters
Belgium	8	3[1]	1	
Denmark	143	5		
Germany	30	21[2]		
Greece	180[3]	30	4	
Spain	30[4]	31		2
France	144[5]	35		
Ireland	18	10	1	
Italy	[6]	300	16	
Netherlands	58	3		
Portugal	12	71	3	
United Kingdom	169	17	5	

1 Vessels belonging to the Naval Service.

2 Some of these vessels belong to the Ministry of the Environment.

3 Greece: Primary role played by the Coast Guard Service which is based in all ports (180). In theory one person could conduct inspections.

4 Spain : This figure only includes the national Madrid-based inspections. In addition there are 232 inspectors employed by the various authorities in the Autonomous Regions.

5 France : Figure is based on 1) Unités Littoral Affaires Maritimes (88)
2) Gendarme Maritime (44)
3) Seagoing inspectors from Affaires Maritimes (12).

6 Italy Potentially there are 1 200 persons engaged in some form of fisheries inspection work. The real figure is probably much smaller.

Table 2

Sharing of responsibilities for fisheries inspection in the Member States

Member State	Total number of competent authorities	Regional authorities	Specialized service competent up to first sale
Belgium	5	no	yes
Denmark	3	no	yes
Germany	7	yes	yes
Greece	3	no	no
Spain	2+autonomous	yes	yes
France	5	no	no
Ireland	3	no	yes
Italy	6	no	no
Netherlands	6	no	yes
Portugal	7	no	no
United Kingdom	6	yes	yes

Table 3

Inspections carried out annually by Member States

Country	Onshore inspections	Offshore inspections	Fleet size ('000 kW)	Fleet size ('000 GT)	Fleet size (approx. number)
Belgium	208	68	69	24	170
Denmark	4573 (+5174)	616	416	97	4300
Germany	10539	4488	166	78	1600
Spain			1823	579	20100
France	No Info	8728	1011	183	6800
Ireland	10500	884	191	52	1400
Holland			509	170	1000
Portugal	26342	8330	426	140	12900
United Kingdom	12434 (+64044)	4509	1137	203	10300

Source: Member States' reports and Eurostat

TABLE 3a

RESULTS OF INSPECTIONS OF FISHING ACTIVITIES CARRIED OUT BY THE AUTHORITIES OF THE MEMBER STATES IN 1994

Belgium		Country in which vessels are registered												
		Total of	**B**	**D**	**DK**	**E**	**FIN**	**F**	**IRL**	**NL**	**P**	**UK**	**S**	**Others**
	(T)	**73**	60		1			4	8					
	(A)	**2**	2											
	(S)													
	(R)	**70**	58					4	8					

Denmark		Country in which vessels are registered												
		Total of	**B**	**D**	**DK**	**E**	**FIN**	**F**	**IRL**	**NL**	**P**	**UK**	**S**	**Others**
	(T)	466	1	1	457		2			2		1		2
	(A)	65			64		1							
	(S)	70		1	69									
	(R)	331	1		324		1			2		1		2

Germany		Country in which vessels are registered												
		Total of	**B**	**D**	**DK**	**E**	**FIN**	**F**	**IRL**	**NL**	**P**	**UK**	**S**	**Others**
	(T)	366	2	337	111					15		1		
	(A)	232	1	218	7					6				
	(S)	235	1	220	4					9		1		
	(R)	57		57										

Greece

T = TOTAL - A = OFFICIAL WRITTEN WARNINGS - S = ADMINISTRATIVE PENALTIES - R = INFRINGEMENTS BROUGHT TO COURT

Spain		Country in which vessels are registered												
		Total of	**B**	**D**	**DK**	**E**	**FIN**	**F**	**IRL**	**NL**	**P**	**UK**	**S**	**Others**
	(T)	11.812				11.762		5	3	2	27	5		8
	(A)	not available												
	(S)	not available												
	(R)	not available												

France		Country in which vessels are registered												
		Total of	**B**	**D**	**DK**	**E**	**FIN**	**F**	**IRL**	**NL**	**P**	**UK**	**S**	**Others**
Data not completed	(T)	**2.021**	6			169		1.832						14
	(A)	**352**						352						
	(S)	**135**						135						
	(R)	**1.113**	3			33		1.077						

Ireland		Country in which vessels are registered												
		Total of	**B**	**D**	**DK**	**E**	**FIN**	**F**	**IRL**	**NL**	**P**	**UK**	**S**	**Others**
	(T)	342	1	1	2	41		15	220			62		
	(A)	234	1		1	12		15	167			38		
	(S)	2							2					
	(R)	67		1	1	29			12			24		

Italy

Luxembourg

T = TOTAL - A = OFFICIAL WRITTEN WARNINGS - S = ADMINISTRATIVE PENALTIES - R = INFRINGEMENTS BROUGHT TO COURT

Netherlands		Country in which vessels are registered												
		Total of	**B**	**D**	**DK**	**E**	**FIN**	**F**	**IRL**	**NL**	**P**	**UK**	**S**	**Others**
	(T)	379	24	10	23			2		298		18		4
	(A)	114	12	4	5					88		3		2
	(S)													
	(R)	265	12	6	18			2		210		15		2

Austria

Portugal		Country in which vessels are registered												
		Total of	**B**	**D**	**DK**	**E**	**FIN**	**F**	**IRL**	**NL**	**P**	**UK**	**S**	**Others**
Not received	(T)	795				33					762			
	(A)	21									21			
	(S)	132				5					127			
	(R)	642				28					614			

Finland		Country in which vessels are registered												
		Total of	**B**	**D**	**DK**	**E**	**FIN**	**F**	**IRL**	**NL**	**P**	**UK**	**S**	**Others**
Not applicable in 1994	(T)													
	(A)													
	(S)													
	(R)													

Sweden		Country in which vessels are registered												
		Total of	**D**	**DK**	**E**	**FIN**	**F**	**IRL**	**NL**	**P**	**UK**	**S**	**Others**	
Not applicable in 1994	(T)													
	(A)													
	(S)													
	(R)													

T = TOTAL - A = OFFICIAL WRITTEN WARNINGS - S = ADMINISTRATIVE PENALTIES - R = INFRINGEMENTS BROUGHT TO COURT

United Kingdom		Country in which vessels are registered												
		Total of	D	DK	E	FIN	F	IRL	NL	P	UK	S	Others	
	(T)	1.140	25	1	18	14		41	6		10	1.017		8
	(A)	968	17		12	4		36	5		8	880		6
	(S)													
	(R)	162	8	1	6	10		5	1		2	127		2

EC		Country in which vessels are registered												
		Total of	B	D	DK	E	FIN	F	IRL	NL	P	UK	S	Others
	(T)	17.394	119	350	512	12.019	2	1.899	237	327	789	1.104		36
	(A)	1.988	33	222	89	16	1	403	172	102	21	921		8
	(S)	574	1	221	73	5		135	2	9	127	1		
	(R)	2.707	82	65	349	100	1	1.088	21	214	614	167		6

T = TOTAL - A = OFFICIAL WRITTEN WARNINGS - S = ADMINISTRATIVE PENALTIES - R = INFRINGEMENTS BROUGHT TO COURT

Table 4

Completion of basic administrative documents

Country	Percentage of logbooks returned	Percentage of landing decls. returned	Percentage of sales notes returned	Comments
Belgium	~95%	As for sales notes	~95%	
Denmark		As for sales notes	95% within 48 hours for TAC species	Intensive follow-up of missing logbook data
Germany	>95%	>95%	>95%	
Spain				No information in the report
France				No information in the report
Ireland	Almost 100%	Almost 100%	As for landing decl.	The sale of certain species is inspected 100%
Netherlands	100%	100%	100%	
Portugal		Approx. 80% (by Docapesca)	As for landing decl.	Emphasis put on NAFO and Morocco fisheries, and in-shore shellfish trawl fleet
United Kingdom		>99% for TAC species	As for landing decl.	

Source : Member States' reports

Table 5

Estimated catches of vessels not required to keep logbooks or return landing declarations

Belgium	Belgium has no vessels under 10 m and landings outside auctions are very small (16 coastal vessels in Ostende).
Denmark	Fishing vessels without a logbook are licensed for a specific area and their catch is recorded using sales notes. There is no mention of catches outside auctions in the report.
Germany	Catches taken by vessels under 10 m are recorded by the Federal Fisheries inspectors. Vessels have to report their total catches for each species and area monthly.
Spain	Catches taken by 1 218 vessels under 10 m at 13 ports are sampled
France	No information in the report.
Ireland	The quantities caught by vessels under 10 m are not registered. The report says that there is access to dealers' records but it does not say how (and if) the information is used.
Netherlands	There is no professional fishery with vessels under 10 m. Sporting vessels are not authorized to fish for TAC species.
Portugal	There is no specific mention of non-logbook vessels in the report. It merely says that all landings should be reported at auctions.
United Kingdom	No information in the report.

Source : Member States' reports

Table 6

Validation of catch data in the Member States

Belgium	Cross-checks are made between logbook data and landing declaration/sales note for approx. 75% of all landings. The position information in the logbook is, furthermore, verified against aerial position information received from Netherlands, UK and Belgium.
Denmark	The system matches logbook information with landing declarations. Missing information is automatically identified in this process and a follow-up procedure is started.
Germany	Cross-checks between logbooks, landing declarations, and sales notes are made for approx. 95% of all landings by vessels more than 10 m long.
Spain	There is no information in the report.
France	There is no information in the report.
Ireland	It is difficult to say from the report if there is any detection of missing data. Some cross-checking is done but not systematically.
Netherlands	100% cross-checking of logbook, landing declaration and sales note data.
Portugal	There are no cross-checks in general but for specific fisheries such as NAFO and Morocco all documents are cross-checked, and for the in-shore shellfish trawl fleet approx. 60% are cross-checked.
UK	The report does not state explicitly whether missing data are detected or if there is cross-validation of data.

Source : Member States' reports

Table 7

Overall increases in discard and wrongful catch rates according to Biais (1995)

	1984	1988	1994
Pelagic			
Discard rate	0,6%	1,2%	2,2%
Rate of declaration of wrongful catches	7,6%	21,0%	17,0%
Demersal North Sea (related sectors)[1]			
Discard rate	12,0%	11,0%	13,0%
Rate of declaration of wrongful catches	8,0%	20,5%	11,5%
Demersal North Atlantic[2]			
Discard rate	13,0%	7,0%	0,0%
Rate of declaration of wrongful catches	3,0%	5,4%	11,0%
Demersal South Atlantic[3]			
Discard rate	1,5%	2,0%	3,0%
Rate of declaration of wrongful catches	7,5%	6,0%	0,5%

1 ICES I, II, III, IV, VIId

2 ICES VI and VIIa

3 ICES VII excluding VIIa and VIId, VIII, IX

ANNEX III - SATELLITE MONITORING

In June 1993, the Fisheries Council has adopted the new fisheries control regime, later enacted as Council Regulation 2847/93. New technologies were introduced as a tool for improved fisheries control. Art. 3 of Regulation 2847/93 provides for the carrying out by Member States of pilot projects on continuous position monitoring. The implementation rules for the pilot projects are laid down in Commission Regulation 897/94 of 22 April 1994. The operational phase of the pilot projects covers the period from October 1994 to December 1995. The Commission should soon afterwards submit a proposal for a Council Regulation on satellite monitoring, on the basis of the experience gained, in order to allow the Council to take a decision in the matter.

The pilot projects are fully or partly operational in nine Member states (BELGIUM, DENMARK, GERMANY, GREECE, SPAIN, FRANCE, IRELAND, the NETHERLANDS and the UNITED KINGDOM). More than 200 fishing vessels have been equipped with a "blue box" (not taking into account the situation in Portugal where MONICAP is operational with 92 trawlers). Three different satellite systems are being tested: CLS-ARGOS, EUTELTRACS and GPS/INMARSAT. More than ten months after the starting date, the project of one Member state (ITALY) is still not operational. Following the enlargement of the Community, DENMARK, FINLAND and SWEDEN carry out a joint pilot project.

During the trials, the Flag state has to inform the Coastal state at regular intervals of the position of the vessels participating in its pilot project. The basic underlying principle is the transmission of the position from the fishing vessel *through the flag state* to the coastal state. Member states so far failed to exchange position reports among themselves on a regular basis, although there is a growing support for the use of a data exchange format proposed by Denmark as well as for the use of X.25 as data exchange protocol. The data exchange is a very important part of the pilot projects. A failure to exchange data between flag states and coastal states in a satisfactory way would undermine the credibility of the decentralised system architecture preferred by most Member states.

As from 1996, FIDES, the Fisheries Data Exchange System designed for electronic data exchange between the Member states and the Commission, might provide a more general solution for data communication problems. During 1995, validation projects in several areas (catch reporting, licences, fleet register and electronic mail) will attempt to proof the feasibility of the FIDES concept.

From the continuous monitoring of a fishing vessel's position, speed and course, certain conclusions can be drawn on the location and duration of its fishing activities. An obligation to report catches on board on entry and exit of the fishing zone, as well in certain intervals when being in that zone, would complete the information gained from such system. Fishing activities in prohibited or temporarily closed areas would immediately become apparent. Inspection vessels could operate in a much more focussed way. "Black" landings at night or in remote ports without inspection presence would be more easily detected.

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