



EUROPEAN COMMISSION

Directorate-General for Fisheries and Maritime Affairs

Control and Enforcement

**Fisheries inspection**

**EVALUATION REPORT**  
**OF CATCH REGISTRATION IN BALTIC-SEA MEMBER STATES**  
**2005-2006**

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Version n°        3.0  
Date                24-01-2007

## EXECUTIVE SUMMARY

The report presents the results of evaluations conducted by Commission Inspectors on the reliability of the system in place for the verification of declared catches of cod in: Germany, Denmark, Lithuania, Latvia, Poland, Sweden, Estonia and Finland. The evaluations were undertaken to all the Member States concerned during the period 2005 and 2006 in the context of control measures for the Baltic Sea as laid down in Council Regulation (EC) No 27/2005<sup>1</sup> and Council Regulation (EC) No 52/2006<sup>2</sup>.

In the framework of the evaluation Commission Inspectors carried out 22 inspection missions to the relevant Member States, participated to the inspection of 208 vessels and analysed the catch records 1040 fishing trips in respect of the vessels inspected. However in respect of Finland and Estonia, where landings of cod are nearly non existent, Commission Inspectors focused their missions on visiting the centre for the registration of catches.

Unrecorded catches jeopardise the sustainability of the stocks. Therefore, catch registration systems combined with adequate levels of inspection and surveillance should ensure the accuracy of recording of catches in accordance with Community legislation. In order to ensure equal treatment of all Member States, fulfilling at the same time its role as the guardian of proper and efficient application of Community legislation, the Commission cannot ignore weaknesses in catch registration.

While noting areas where progress has taken place in most Member States, the Commission cannot ignore the problems of unrecorded catches still persisting in the Member States of the Baltic Sea during the period of 2005 and 2006. This report demonstrates that the basic obligations prescribed by Community legislation for ensuring an accurate recording of catches are not fully complied with by the relevant Member States. The full extent of the problem cannot be fully ascertained because the report does not address institutional deficiencies and the clandestine nature of the activities.

In the framework of the evaluation it was established by the Commission Inspectors, during their inspection missions and from the evaluation of catch registration documentation provided by the Member States, that there was a major difference of the calculated Landing Per Unit Effort (LPUE)<sup>3</sup> in respect of catches of cod for vessels when inspected and not inspected. The LPUE, expressed in kg per hour for each analysed fishing trip, indicated that the landings of cod were higher when vessels were inspected and in all cases lower when not inspected. These determined values were established by comparing the declared landings of the inspected vessels with the declarations of four other similar trips by the same vessels. These results clearly demonstrate that there are serious differences of recorded catches by vessels when they are not inspected. From a control and inspection perspective the variations in LPUE can be directly attributed to deficiencies in the efficiency, frequency and effectiveness of inspection by the relevant Member States.

In the case of Poland the LPUE value was 48.71 %. Such a high difference in LPUE is implausible and is a major concern particularly to the reliability of control measures in place. Regarding the other Member States the % LPUE difference for vessels inspected and not inspected ranged between 21.4 % for Sweden, 15.6 % for Lithuania, 13.59 % for Germany, 12.74 % for Denmark and 7.56 % for Latvia.

In the eight Member States evaluated it was evident that the reliability and quality of the catch registration system was directly related to:

- The application and enforcement of the basic catch registration measures.
- The risk of being inspected during the 24/7 period of fishing and landing activity particularly in the case of Member States with a large number of ports and an inadequate level of inspection.
- The measures in place to deter illegal practices particularly in respect of landings in transit.

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<sup>1</sup> OJ L 12, 14.1.2005, p.1

<sup>2</sup> OJ L 16, 20.1.2006, p.1

<sup>3</sup> Landing per Unit of Effort equals A/B where "A" is the cod landed in kgs per vessel and "B" is the actual fishing time in hours according to the logbook of the vessel.

It was observed by Commission Inspectors that the serious level of unrecorded catches was *inter alia* as a result of the poor inspection and surveillance in particular, the poor quality and frequency of inspection in place to ensure the accuracy of the recorded data. These findings are in line with the assessment of ICES for the region.

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## 1 INTRODUCTION

In the framework of the 2005-2006 Work Programme of DG Fish Unit D2 Commission inspectors conducted 22 inspection missions to the Member States of the Baltic Sea to assess the reliability of national control and verification systems in place for the verification of declared catches of cod. This report reviews the findings of those missions in the context of control and enforcement by Member State for the accurate registration of catches.

Community legislation includes provisions concerning the obligation to keep a logbook and submit landing declarations. Masters of Community fishing vessels over 10 metres length are obliged to record their catches retained on board in a logbook and upon landing in their landing declaration. In 1994 the measures on logbooks and landing declarations were complemented with additional obligations on sales notes. In 2005 the obligation to record catches in a logbook was extended to fishing vessels of overall length equal to or greater than 8 m holding a special fishing permit for fishing for cod in the Baltic Sea.

In the framework of the Baltic Cod fisheries, reports by ICES<sup>4</sup> of unrecorded landings suggest that the TAC is not being complied with. ICES estimate that extent of unrecorded landings range from 35-40 %. Moreover it is maintained that the causes of such under recording is that control and inspection in the region is inadequate.

## 2 SCOPE

Taking into account the reports of under recording of declared catches in the Baltic Sea region the scope of this report was to:

- Assess the application and enforcement of the basic catch registration measures.
- Conduct an evaluation of the results of catch registration of inspected and un-inspected landings of vessels targeting cod.
- Reviews the measures in place to deter illegal practices.

## 3 RELEVANT LEGISLATION

- Council Regulation (EC) N° 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy<sup>5</sup>
- Council Regulation (EEC) N° 2847/93 of 12 October 1993, establishing a control system applicable to the Common Fishery Policy<sup>6</sup> as amended.
- Commission Regulation (EEC) N° 2807/83 of 22 September 1983, laying down detailed rules for recording information on Member States' catches of fish<sup>7</sup> as amended.
- Council Regulation (EC) No 27/2005 of 22 December. 2004 fixing for 2005 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where limitations in catch are required..
- Council Regulation (EC) No 52/2005 of 22 December. 2005 fixing the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in the Baltic Sea for 2006.<sup>8</sup>

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<sup>4</sup> ICES Advice 2005 Volume 8, Sections 1.3 and 1.4.

<sup>5</sup> OJ L 358, 31.12.2002, p.1

<sup>6</sup> OJ L 261, 20.10.1993, p.5

<sup>7</sup> OJ L 276, 10.10.1983, p.1

<sup>8</sup> OJ L 16, 20.1.2006, p.184

## 4 EVALUATION METHODOLOGY

The methodology adopted by Commission inspectors in the 2005-2006 catch registration evaluation programmes addressed the reliability of the information collated by Member States about the landings of cod in the primary ports in the Baltic Sea. In this context Commission inspectors verified:

- the actual landings of 208 randomly selected vessels operating out of the primary landing ports in the Baltic Sea during 22 inspection missions,
- 1040 catch registration records of other fishing trips by the same vessels:
  - at the same time on the previous year,
  - on a trip just prior to the inspection by Commission inspectors and
  - a trip after the inspection by Commission inspectors.
- the Landing Per Unit Effort (LPUE) in kg per hour for each vessel during each recorded fishing trip.

Against this background each Member State catch registration system is considered in the context:

- Catch registration and verification. (logbook; landing declaration; sales note; transport documents; database Use of VMS for the verification of vessel activity).
- Control and inspection procedures and first marketing (prior notice; designated ports; additional measures).
- Follow-up and deterrence.

Table 1 lays out the number of missions undertaken to each of the Member States concerned, the list of ports visited during the period of the four missions, the number of vessels inspected and the number of records verified in respect of each of the vessels inspected.

**Table 1**

Member State	Dates of Missions	Ports Inspected	Number of vessels monitored	Number of catch registration records examined
<b>GERMANY</b>	14 - 18 Apr 2005 30 May - 14 Jun 2005 2005 19 - 25 Jul 2005 04 - 11 Nov 2005	Eckerndorf, Kappeln, Heikendorf, Laboe, Heiligenhafen, Neuendorf, Travemünde, Wismar, Warnemünde, Saßnitz, Freest, Burgstaaken	26	130
<b>SWEDEN</b>	14 – 22 Mar 2005 28 - Apr to 3 May 2005 13 - 18 Jul 2005 13 – 20 Oct 2005	Sturko, Karlskrona, Hasslöv-Karlskrona, Nordersund, Simrishamn Skanör, Trelleborg, Gislövs, Abbeås, Ystad, Skillinge, Vik, Kivik, Åhus, Hörvik,, Rönneby	43	215
<b>DENMARK</b>	14 – 22 Feb 2005 28 Apr to 3 May 2005 17 – 22 Aug 2005 04 to 11 Nov 2005	Rønne, Nexø, Klintholm Havn, Køge, Kerteminde, Arøund, Sønderborg, Mommarm, Søby, Ærskøbing, Marstal, Rudekøbing, Fåborg, Spodsbjerg, Langø, Rødby Havn, Gedser, Hæsnæs, Stubbekøbing, Klintholm Havn, Rødvig, Rønne, Nexø, Aarsdale, Listed, Tejn, Svaneke	57	285
<b>POLAND</b>	4 – 12 Apr 2005 19 – 23 May 2005 3 – 8 Aug 2005 17 – 24 Oct. 2005	Gdynia, Władysławowo, Jastarnia, Hel, Kuźnica, Łeba, Ustka, Darłowo, Kołobrzeg, Świnoujście, Rewal, Niechorze, Mrzeżyno, Dzwirzyno,	46	230
<b>LITHUANIA</b>	01 – 05 Sep 2005 19 – 27 Sep 2005	Šventoji, Klaipėda	16	32
<b>LATVIA</b>	1 - 5 Sept. 2005 21 - 29 Sept 2005	Liepāja, Ziemeupe, Pāvilsta, Jūrmalciems, Ventspils	20	100
<b>ESTONIA</b>	5 - 8 Dec 2005	Tallinn, Pärnu	Administrative Mission	
<b>FINLAND</b>	21 - 23 Nov 2005	Helsinki	Administrative mission	

#### **4.1 Mission preparation**

From 2000 to 2004, catch registration missions were undertaken in Germany, Denmark, Sweden and Finland and for all the relevant member States in 2005 in the framework of catch registration and the implementation of control measures. The reports of these missions were analysed to identify particular difficulties in control and catch registration and to focus future analysis in areas of particular weaknesses.

#### **4.2 Mission planning**

The missions planning took account to the following aspects:

- Fishing seasons of Baltic cod;
- The impact of the Member State's cod fishing fleet in the Baltic Sea area;
- Target ports were selected in each Member State for the monitoring of cod landings and the collection of catch registration sample data.

#### **4.3 Mission report**

- In respect of each mission a report was completed and transmitted to the Member States concerned for their observations. The report included an analysis of the implementation and enforcement of the requirements of Annex III to Council Regulation (EC) No. 27/2005 and compliance with the basic catch registration obligations provided for in Council Regulation (EEC) N° 2847/93 as amended.



## 5 MAIN FINDINGS

Table 2 sets out an overview of the data collected by Commission Inspectors prior to, during and after each missions to the Member States. A total of 208 vessel landings were observed by Commission inspectors during four inspection missions to each Member State. In this context the documents 1040 fishing trips of the inspected vessels were analysed. All the data and the catch documents analysed were provided by the Member States concerned. A key finding of the analysis is the disparity between the LPUE<sup>9</sup> of vessels inspected and vessels not inspected. In the case of Poland the LPUE was 48.71 % greater for cod when a vessel was inspected. Such a significant difference is a major concern and demonstrates that declared landings are significantly greater when inspected. To a lesser extent all the other relevant Member States are also of concern taking into account that LPUE % difference for vessels inspected ranges between 21.4 % for Sweden and 15.6 % for Lithuania. The second element to note is the level of non compliance with the margin of tolerance allowed for in the recording of catches in the logbooks. It should be noted that the level of compliance and enforcement of the 8% margin of tolerance by Member States is not satisfactory and poorly enforced. Finally it must be noted that the quality of the data contained in the documentation provided by certain Member States was unreliable because so little of the data was verified against actual landings.

The detailed analysis of each Member State is contained in Annex1

**Table 2**

	Poland	Sweden	Germany	Denmark	Latvia	Lithuania
<b>Number of landings by vessels monitored by Commission Inspectors. Total 208</b>	46	43	26	57	20	16
<b>Number of fishing trips of inspected vessels analysed. Total 1040</b>	230	215	130	285	100	80
<b>Average LPUE Inspected Landings (in kg/hr)</b>	24.57	83.25	50.94	38.15	25.57	49.04
<b>Average LPUE Not Inspected Landings (in kg/hr)</b>	12.60	65.42	44.01	33.28	23.64	41.37
<b>% Difference between LPUE (Inspected and Not Inspected)</b>	48.71	21.42	13.59	12.79	7.56	15.64
<b>Number of logbook with landing declaration above 8%</b>	31	134	10	173	5	5
<b>Number of landing declarations which demonstrated a difference with the Sales notes</b>	No discrepancies evident because the sales note and landing declaration are completed at the moment of landing	44	7	No Records Available No Landing Declaration is used	5	1

<sup>9</sup>. Landing per Unit of Effort equals A/B where "A" is the cod landed in kgs per vessel and "B" is the actual fishing time in hours according to the logbook of the vessel

## 5.1 CATCH REGISTRATION AND VERIFICATION.

Community implementation legislation has included provisions concerning the obligations to keep logbooks and submit landing declarations since 1982. In accordance with Articles 1 and 2 of Regulation (EEC) No 2807/83, masters of Community fishing vessels over 10 metres length must record their catches retained on board in their logbook and upon landing in their landing declaration. In 2005 the obligation to record catches in a logbook was extended to fishing vessels of overall length equal to or greater than 8 m holding a special fishing permit for fishing for cod in the Baltic Sea.

As of 1994 (Article 40(1) of Regulation (EEC) No 2847/93), logbooks and landing declarations shall be supplemented by sales notes. Therefore, auctions and buyers of quantities landed have also become responsible for the accuracy of the catch data.

Each Member State shall compile the information from logbooks, landing declarations and sales notes in a database and report periodically catches to the Commission. Member States also have to establish a validation system comprising in particular cross-checks and verification of data resulting from these obligations (Article 19 of Regulation (EEC) No 2847/93).

The inadequacy of a comprehensive inspection structure undermined such measures as the enforcement of prior submission of logbook sheets prior to discharge which was one of the key measures used to address the under-recording of catches. Of particular concern were landings being made especially at weekends and outside office hours. During unannounced missions to all the Member States concerned Commission Inspectors noted that when there was an absence of inspection in the ports during out-office-hours and at weekends the declared landings of cod were significantly lower. Moreover, large quantities were collected by lorries for transport to other Member States where they were declared as second sale fish.

### 5.1.1 Logbooks

#### 5.1.1.1 General Comment

Each Member State shall ensure that logbooks are distributed to all Community fishing vessels flying its flag which exceed 10 metres in length. In the case of the cod fishery in the Baltic Sea this requirement was extended to include fishing vessels greater than 8 meter length overall. Masters shall record in the logbook all information required in Article 6 of Regulation (EEC) No 2847/93 and in Regulation (EEC) No 2807/83. Masters shall, within 48 hours after the landing, transmit these logbook sheets to the authorities of the flag Member State.

#### 5.1.1.2 Implementation

- The administrative procedures for the distribution and collection of logbook sheets are implemented in all Member States and the procedures for the return of logbooks are accepted by the fishermen. Member States have a logbook registration system in place that is able to detect missing logbook sheets.
- Submission of logbook sheets prior to discharge was only enforced by Poland, Latvia and partly by Germany. It was deemed not practical needing extra human resources for the collection of the documents.
- The requirement that masters should submit the original logbook sheets to the competent authorities within 48 hours after landing appears to be a problem issue in a number of Member States (such as Germany, Finland and Sweden).
- Some Member States in particular Germany allow the recording of several trips on a single logbook sheet.
- Although the regulation prescribes in detail the methodology for altering recorded figures, logbook sheets show illegible alterations and overwritten figures.

### 5.1.1.3 Infringements observed by Commission inspectors during missions.

- Commission inspectors observed that a Polish vessel issued with a special permit was found to have no logbook on board.
- At the moment of discharge 11 vessels (Denmark, Poland, Germany, and Latvia) did not have a completed log book sheets on board.
- In some Member States (Poland, Sweden, Latvia) masters were permitted to adapt the figures recorded on the log sheet or were left sufficient time to complete the log sheet after announcement of the landing inspection.

## 5.1.2 Landing Declarations

### 5.1.2.1 General Comment

Each Member State shall ensure that masters of Community fishing vessels shall complete a landing declaration for each landing in its territory. Masters shall record in the landing declaration all information required in Article 8 of Regulation (EEC) No 2847/93 and in Article 2 of Regulation (EEC) No 2807/83 all the information required. On entering port after each voyage the master shall submit a landing declaration to the authorities of the Member State containing the actual quantities landed.

### 5.1.2.2 Implementation

- Except for Denmark and Germany, all Member States enforce the submission of landing declarations as provided for on the logbook sheet.
- It was observed in many cases that the data on the submitted landing declarations were either totals of the estimated daily catches calculated back to gutted weight or a multiplication of the number of landed boxes with an assumed standard box weight.
- Denmark has replaced the submission and completion of landing declarations with a system requiring the master to record the buyer on the logbook sheet and the buyer to submit extensive sales data the day following the purchase which could be outside the prescribed 48 hour deadline for the landing declaration.
- DE accepts the weighing notes produced by the producer's organisations as landing declarations.

### 5.1.2.3 Infringements observed by Commission inspectors during missions.

- In a number of observed cases (notably in Poland, Sweden and Germany) the landing declaration was already completed before the catches were actually landed.

## 5.1.3 Sales Notes

### 5.1.3.1 General Comment

Each auction or buyer of quantities landed shall draw up a sales note which shall contain notably the information mentioned in article 9 of Regulation (EEC) No 2847/93 on the quantity and the price at first sale for each species. The sales note shall be transmitted within 48 hours after sale to the authorities of the Member State where the first sale took place.

The apparent weakness of the sales notes system is the lack of auditing of the buyers to ensure accurate returns by the relevant national authorities. The fragility of the system becomes evident in circumstances where fish is landed into a second Member State for onward sale in third Member State. In such circumstances it is unclear at what point the fish becomes second sale. Moreover, cooperation between Member States does not ensure full compliance with EC legislation nor provide adequate tractability of the consignments of fish. In the Baltic Sea this type of practice is very common in all the relevant Member States.

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### 5.1.3.2 Implementation

- Sales notes are implemented and are submitted to the authorities of the Member States.
- In a number of Member States (Lithuania, Latvia) sales notes are delivered on standardised documents. In Denmark the obligation is fulfilled by providing a system of online transmission of sales notes by the buyers to the national authorities.
- The market structure in the Baltic Sea area is based on direct sales and transports to processing plants or auctions in other Member States.

### 5.1.3.3 Inspection and Enforcement

- The details required for the completion of sales notes can only be obtained when catches are properly sorted, graded and weighed. When catches are transported directly after landing by Producers Organisations (PO) notably Germany to other Member States auctions (The Netherlands) these details are not available, although the transaction between the vessel and the PO at the moment of landing is in the majority of cases considered a first sale.
- The accuracy of the submitted sales notes is in certain cases, notably Germany and Poland, are questionable. As with landing declarations sales notes showed in some cases a declared amount of fish based on the number of boxes delivered and multiplied with a standard assumed net box weight.

## 5.1.4 Weighing of Landed Catches

### 5.1.4.1 Implementation

- The majority of Member States considered the target of 20 % of catches landed to be weighed as unrealistic and claimed that a considerable amount of human resources would have to be used in order to reach the recommended bench marks for inspection.
- During the mission it was observed that the sample-weigh methodology applied and the reliability of the result varies considerable between Member States. The weighing of landed catches was not done on a regular basis in most Member States.
- In Germany and Poland scales for weighing landed catches were usually unavailable during the visits of Commission inspectors to the ports.
- It was observed by Commission inspectors that in all the Member States particularly Germany the infrastructure in place is inadequate for weighing fish at the point of landing. In Germany there is an unwillingness to weigh the fish at the point of landing claiming that the quality of the fish will deteriorate if it is unpacked and re packed for weighing.
- The sampling plans submitted to the Commission were of variable quality. Only Denmark produced a sampling plan based on a statistical analysis.

### 5.1.4.2 Inspection methodology

- The weight of cod landed was in most cases established by a box count and sample weighing. If sample weighing was carried out, in general 2 to 5 boxes were weighed and the average net weight calculated.
- The efficiency and methodology applied for sample weighing cod landings varied significantly between Member States and even between inspection teams in the same Member State.
- Taking into account that some Member States only purchased weighing scales for the local inspectors because of the requirement to sample weigh 20 % of the landings illustrates that the weighing of catches was done only in exceptional cases.

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### 5.1.4.3 Infringements detected during the mission

- Sample weighing carried out by Commission Inspectors during landing inspections in Poland, Sweden and Latvia demonstrated that the net box weight was considerably higher (average 7-8 %) than the recorded unit weight declared by the master.

### 5.1.5 Permitted Margin of tolerance

#### 5.1.5.1 Implementation

- In all Member States the administrative requirement that the estimates of TAC species recorded on a logbook sheet should stay within a margin of tolerance of 8% is implemented.
- Tolerances such as the unit weight tolerances and water content tolerances and a variable conversion factors applied by each Member State weaken the effectiveness of the 8 % tolerance measure.

#### 5.1.5.2 Inspection methodology

- The methodology applied by fishery inspectors to calculate the margin of tolerance when monitoring a landing differs between Member States.
- There is no standardised methodology for applying conversion factors for vessels landing in other Member States' ports or fishing in other Member states' waters.

### 5.1.6 Obligations on the transport of fish

#### 5.1.6.1 General Comment

It was noted that when landings were taking place at weekends or outside office hours, in Poland and Germany, for immediate transport to Dutch auctions or processing plants in other Member States there was no inspection presence. In this context follow-up missions by Commission Inspectors to establish the level of control cooperation between the relevant Member States to verify the quantities transported noted that there was very little evidence of cooperation concerning the control and transmission of data in respect of those landings and transports.

#### 5.1.6.2 Implementation

- In the Member States of the Baltic Sea fish is landed and sold directly to buyers in the local port. In many cases the landed catch is transported to markets (buyers) in another district or Member State with no accompanying catch documentation with the actual quantities of species.
- In principle the administrative requirements of transport documents are implemented. Most Member States accept a copy of the logbook sheet as a valid transport document. However, the enforcement and verification of the data contained in the documents is considered low in all Member States.

#### 5.1.6.3 Inspection and Enforcement

- Because the adequate weighing and sorting of the catches at the point of landing is very rare, the data on transported quantities is unreliable as regards species.

### 5.1.7 Cross checking of catch registration data.

#### 5.1.7.1 General Comment

In accordance with Article 19 of Regulation (EEC) No 2847/93, each Member State shall create a database in which all the above information is compiled. Member States shall ensure that the information collected is complete and verified on the basis of crosschecks.

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### 5.1.7.2 Implementation

- Member States have advanced systems in place in order to automatically cross-check catch registration data (cross-checking between logbook, landing declaration and sales note data). Procedures are in place to facilitate the investigation of discrepancies. Generally, cross-checks of catch registration data are preceded by the screening of the submitted documents for missing information or discrepancies.
- National administrations seem to consider cross-checking to be an administrative tool instead of an enforcement tool. Cross-checks and follow up are mainly carried out to ensure consistency between the data recorded on the different catch registration documents when entering the data for quota uptake management. The enforcement of the industry's responsibilities regarding the recording of catches and the follow-up of detected infringements is not always adequate or deterrent.
- There is very little evidence of any independent audits carried out to verify the accuracy of the data provided by the different types of catch registration documents. The lack of verification of the data submitted seriously undermines the use and effectiveness of cross-checks.
- There is an inappropriate level of trust existing between the administrations and buyers / producer.

## 5.2 CONTROL AND INSPECTION RESOURCES AND PROCEDURES.

### 5.2.1 Inspection Organisation and Resources

#### 5.2.1.1 General Comment

The conservation and management of marine living resources requires detailed information on the amount and composition of catches. In this regard Articles 6 to 19 of Council Regulation (EEC) 2847/93 sets out the tasks to be enforced by Member States for the monitoring of catches. In order to fulfil their obligations each Member State should have adopted appropriate measures and should have placed sufficient means at the disposal of its competent authorities to enable them to perform their tasks of inspection and control (Article 1(2)). Each Member State is in charge of monitoring fishing activity and related activities within its territory and maritime waters, the goal being the verification of the implementation of Regulation (EEC) No 2847/93 (Article 2(1)).

#### 5.2.1.2 Detailed Findings

- In terms of means of inspection and the importance attached to it by the national fishery authorities, the situation is that the number of fisheries for which a coherent compelling inspection strategy has been put in place is very limited. In many cases, inspection strategies are characterised by an imbalance between fishing opportunities and inspection resources as well as a lack of cooperation at a national and inter Member State level.
- The masters of fishing vessels can freely choose their landing place and the hours during which the landing will be carried out. Fish is landed and sold directly to buyers located in the local port and in many cases the landed catch is transported to markets (buyers) in other Member States. To police such an open system would require an extensive inspection organisation in order to provide for a reasonable risk of inspection.

#### 5.2.1.3 Available resources

- Inspection resources in all the Member States in the Baltic Sea are not sufficiently robust to meet the exigencies' 24/7 fishery. Due to the lack of resources fish landings are not always weighed particularly when the landings take place outside office hours and at weekends. Germany in particular is reluctant to weigh the fish at any time fearing that the quality of the fish will deteriorate.
- Some Member States (Poland and Germany) can not assure an adequate level of inspection outside office hours or during the weekend.
- Despite the lack of inspectors most Member States make poor use of VMS data for strategic planning and for targeting landing inspections.

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#### 5.2.1.4 Methodology

- The methodology applied for targeting and carrying out landing inspections differs in practice between Member States, between regions and even between inspection teams of the same Member State.
- The main focus when conducting landing inspections is on the enforcement of the administrative requirements. Member States inspectors place too much emphasis on inspecting the fishing licence, special permit and other maritime documents/certificates and not enough time verifying the quantities and species landed.
- Due to the variable landing pattern and the direct marketing, inspectors in the majority of cases only cross-check the recorded catch data on the logbook sheet with an estimate based on a box count during the landing. A complete weighing and sorting, in order to establish an exact and total weight of the landed fish, is exceptional.

### 5.2.2 Member States control action plan

#### 5.2.2.1 General Comment

In order to fulfil their obligations in accordance with Article 1 Regulation (EEC) No 2847/93 Member State should have adopted appropriate measures and should have placed sufficient means at the disposal of its competent authorities to enable them to perform their tasks of inspection and control within its territory and maritime waters.

In addition Annex III of Council Regulation (EC) No 52/2005 provides that each of the Member States concerned shall define a national control action programme for the Baltic Sea which should include specific inspection benchmarks.

#### 5.2.2.2 Detailed Findings

- All Member States have produced a control action plan and forwarded this plan to the Commission.
- The plans reviewed by Commission inspectors were of variable quality. In many cases the requirements laid down in the plans were quoted without specifying in detail or how these requirements or targets could be implemented or achieved. The control plans produced by Denmark, Latvia and Poland were noteworthy for setting out clear objectives.

#### 5.2.2.3 Implementation

- It is questionable what real value is achieved by these plans taking into account that they did not reflect the results found on the ground by Commission inspectors on mission.

### 5.2.3 Special fishing permits for vessels fishing for cod

#### 5.2.3.1 General Comment

By way of derogation from Article 1(2) of Council Regulation (EC) No 1627/94 of 27 June 1994 laying down general provisions concerning special fishing permits<sup>10</sup>, all Community fishing vessels of an overall length equal to or greater than 8 m carrying on board or using any gear of a mesh size equal to or greater than 90 mm shall hold a special permit for fishing for cod in the Baltic Sea.

#### 5.2.3.2 Implementation

- All the administrative requirements of the special permit scheme have been implemented in all Member States.

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<sup>10</sup> OJ L 171, 6.7.1994, p. 7.

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### 5.2.3.3 Inspection methodology

- Commission inspectors observed that the requirements concerning authorised fishing gear when fishing for cod were not always thoroughly checked. In this regard two German vessels and one Polish vessel were carrying other gears whilst having a BACOMA net on board.

### 5.2.3.4 Infringements detected by Commission Inspectors during the mission

- Two vessels were found to have no special permit on board whilst landing cod (1 Swedish vessel in Denmark, 1 Polish vessel while landing in Poland)

## 5.2.4 Designated Ports

### 5.2.4.1 General Comment

Annex III of Council Regulation (EC) No 52/2005 provides that each Member State may designate ports at which any quantity of Baltic cod in excess of 750 in live weight is to be landed.

### 5.2.4.2 Implementation

- The designated port scheme has been implemented in all Member States. Initially, some Member States tried to put in place a limited list of designated ports. However, the number of designated ports had to be expanded in order to adapt to the economic reality in the Member State and to take account of the social and security aspects of some smaller ports while ignoring the obligation to provide adequate control.

### 5.2.4.3 Inspection methodology

- Most ports visited during the missions were designated ports and did not require special monitoring regarding the amounts of cod landed.
- Inspection resources were not assigned on a permanent basis to all designated ports.

### 5.2.4.4 Infringements detected during the mission

- Commission inspectors observed in Estonia one vessel landed over 750 kg of fish in a non designated port. The master was issued a written warning.

## 5.2.5 Prior Notification

### 5.2.5.1 Implementation

- The pre-notification requirement was implemented in all Member States visited.
- Germany and Poland considered it as an additional administrative burden and did not exploit the notification system to its full potential to target inspections.
- The methodology used by Lithuania and Latvia, where the inspector on duty is immediately informed of a notified landing, is noteworthy and demonstrated that efficiencies could be achieved by using the prior notification system.
- The prior notification system introduced in Poland was inadequate. The messages were often received late which meant that the information contained in the prior notification message was of no value to the national inspectors. The failure of the pre-notification system was due to poor coordination and communication between the inspection service and the border guards.
- In Poland, and to a lesser extent in Sweden, it was noted that the live weight declared on the pre-notification message was in many cases considerably lower than the weight landed or declared on the logbook.



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### 5.2.5.2 Inspection methodology

- The inspection methodology applied varies between Member States. The value to inspection of the pre-notification message was directly related to what use was made of the pre-notification messages for targeting inspections.

### 5.2.5.3 Infringements observed by Commission Inspectors during missions

- Commission Inspectors noted that in some Member States notably in Denmark, Poland, Germany, Sweden and Latvia apparent infringements were detected against the pre-notification requirements. Some masters did not send a pre-notification message at all (14 cases) and 24 messages were not sent on time.
- In Denmark two vessels were observed landing their catch before the announced time of discharge on the pre notification message.
- Commission Inspectors noted that 24 messages contained significant under reporting of cod.

## 5.2.6 Data Management.

### 5.2.6.1 General Comment

In accordance with Article 19 of Regulation (EEC) No 2847/93, each Member State shall create a database in which all the above information is compiled. Member States shall ensure that the information collected is complete and verified on the basis of crosschecks.

### 5.2.6.2 Detailed Findings

- All Member States have an automated catch registration database in place.
- Input of data is either at a centralised level or at regional level.
- All Member States have an automated or manual system in place for the detection of missing catch registration documents.
- The submission of catch registration documents and the introduction of the catch data into the database within a reasonable period of time is claimed to be the main priority for the Member States.
- The calculation of the quota uptake figures is based on the landing declaration data (Sweden, Lithuania, Finland, Estonia, and Latvia) or the sale note data (Denmark, Poland, and Germany).
- A key finding of the analysis of the data collated by Commission Inspectors was the disparity between the LPUE of vessels inspected and vessels not inspected. In the case of Poland the LPUE was 48.71 % greater for cod when a vessel was inspected. The other Member States with the exception of Latvia are also of concern taking into account that LPUE % difference for vessels inspected ranges between 21.4 % for Sweden and 15.6 % for Lithuania. The significant difference demonstrated in the analysis of the data reveals that Member States in particular Poland are not ensuring that the information collected is complete and verified on the basis of crosschecks.
- In all Member States, in particular Poland, the follow-up of discrepancies and infringements detected by data validation is rarely undertaken.

### 5.2.7 Use of Satellite Monitoring Systems (VMS)

- The use of VMS data together with the results of physical checks in the ports by the inspectors and the use of satellite tracking technologies is inadequate in all the Member States. VMS and the scope of possibilities it offers for control and monitoring does not form an integrated part of Member States operational framework for inspection. Data analysis by Commission Inspectors brought forward a number of inconsistencies in the catch registration data and VMS data of the Member States. This suggests that inspectors in the Member States are not using VMS data as part of their validation and cross checking procedures. Moreover it was also evident that inspectors in the ports of certain Member

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States were totally ambivalent or completely ignorant of the uses of VMS to complement their inspection procedures.

- VMS data is generally not used to its full potential in order to ensure the effective monitoring and control of the fishing activities as well as to ensure compliance to the Common Fisheries Policy (CFP).

### **5.3 Follow up and Deterrence.**

#### **5.3.1 General Comment**

A study of the data provided by Member States concerning the number of infringements detected and the follow up of these show a remarkably low number of cases submitted for prosecution in relation to the total number of infringements detected.

The ratio between detected infringements and the total number of sanctioned cases seems to be low or non-existent particularly in the case of Poland and Sweden. The all too frequent recourse to warning letters undermines the efficiency and the credibility of the whole system. Although severe sanctions may be imposed by the courts, they are rarely used. The apparent high reoccurrence of infringements indicates that sanctioning system as a whole does not meet the level of deterrence required by EC legislation.

#### **5.3.2 Detection of Infringement**

During the Missions to the Member States Commission Inspectors noted that there was a very wide interpretation of the catch registration rules from one Member State to another. Certain logbook requirements such as 48 hours submission of documents, a single fishing trip per logbook sheet, alteration of figures etc., are not always complied with. However, in many cases these suspected infringements stay undetected or are not considered a priority for the inspection services.

#### **5.3.3 Follow up of detected infringements**

- The judicial and/or administrative follow-up of suspected infringements is low. Even though it was observed that in a number of cases infringements were recorded on inspection reports, the consistency of follow-up procedures and the sanctions applied are unclear.
- The immediate and deterrent effect of any follow-up action upon detection of a suspected infringement is nearly non-existent and puts a burden on the efficient enforcement of the catch registration rules.

#### **5.3.4 Infringements observed by Commission inspectors during missions**

- Of the 208 monitored cod landings 66 were outside the 8% margin of tolerance.
- Post analyses by the Commission Inspectors of all the collected datasets show that approximately 35 % of the catch registration documents (notably in Poland, Sweden, Denmark, Latvia, Finland) show a difference outside the 8 % margin of tolerance.
- Several examples of very finely tuned documents were evident in the case of German vessels. It would appear that the reasons for this seems to be that PO's are collecting catch registration documents (log sheets, sales notes) and carry out a preliminary cross check on the margin of tolerance before transmitting the documents to the inspection office.

## **6 CONCLUSIONS**

- 1) The practices described in the report illustrate that there are landings of quota stocks in particular Cod in a way that is contrary to the requirements set out in the EC legislation. The full quantification of such activities is impossible because of their clandestine nature. Despite the progress achieved by the introduction of measures such as designated port and prior notification of landings schemes the reliability of catch data in the Baltic Sea continues to be undermined by the lack of control at the point of landing particularly for landings taking place out of office hours and at weekends.
- 2) Whereas, the fishing industry is well adapted to the administrative systems and requirements of catch reporting the catch data provided is unreliable. Compliance with the rules on the completion of landing declarations, sales notes and transport documents is low.
- 3) Establishing exact landing figures seems to be a problem in most Member States visited, because transactions between vessel and buyer are based on estimates, box counts and assumed unit weights. When considering the number of vessels landing in other member States' ports and the prominent importance of transport of catches between Member States there is a poor level of cooperation concerning the transfer and enforcement of catch data.
- 4) The frequency of landing inspections is restricted by the number of inspectors available to a Member State. Many Member States report a shortage of human resources and other inspection means. Notwithstanding the limit of human resources available for inspections in the port, Member States continue to operate a 24/7 landing opportunities and extensive list of designated ports for vessels.
- 5) The follow-up of apparent infringements with regards to catch registration is not adequate or has only a limited deterrent effect in most Member States.

## **7 THE WAY FORWARD**

- 1) A stricter and harmonised enforcement of the existing basic catch registration measures and an adequately deterrent sanctioning system could have a more positive effect on the quality of catch registration than the introduction of additional measures.
- 2) Develop a harmonised set of landing and weighing procedures for demersal fish in cooperation with Member States following the consultation model used for the pelagic fishery. Such procedures should include at least the following elements: the prior notification of landing including the declaration of catch on board; the obligation to weigh all landings or in the case of landings in standardised boxes the application of an agreed tare allowance; traceability; bench marking for inspections.
- 3) There is a need to extent the co-operation and consultation between Member States in order to agree on inspection issues (i.e. conversion factors, transport control procedures etc.....) and to develop a level playing field for inspection.
- 4) A thorough enforcement of the requirements related to transport documents and an intensified co-operation and communication between Member States is needed.

## Annex 1

**Detailed Analysis by Member State****DENMARK**

▪ <b>Mission Evaluation Factor</b>	▪ <b>Observations and Remarks</b>
▪ <b>National Control action plan</b>	<ul style="list-style-type: none"> <li>• A control action plan has been produced and was forwarded to the Commission on 2<sup>nd</sup> September 2005. The plan contains sampling benchmarks.</li> </ul>
▪ <b>Special permit for cod</b>	<ul style="list-style-type: none"> <li>• A special permit scheme has been implemented. A number of adjustments have been made to the existing licensing system in order to comply with this requirement.</li> <li>• All vessels over 8 m fishing for cod are required to hold a special permit issued. In practice the main part of the Danish Baltic Sea fleet has been issued a special fishing permit. When the vessel is leaving the Baltic Sea the licence has to be exchanged.</li> </ul>
▪ <b>Designated port scheme</b>	<ul style="list-style-type: none"> <li>• There is a designated port scheme in place. 32 ports have been designated; the list of designated ports has been communicated.</li> </ul>
▪ <b>Logbook requirements</b>	<ul style="list-style-type: none"> <li>• All vessels down to 8 m with a permit were issued an EC logbook. Logbooks are issued by the local inspection office.</li> <li>• Submission of log sheets prior to landing was not enforced.</li> </ul>
▪ <b>Pre notification system</b>	<ul style="list-style-type: none"> <li>• By national order all vessels landing more than 300 kg cod should pre-notify.</li> <li>• Masters have to communicate the prior notification messages via an automated central system (keying, SMS, e-mail).</li> <li>• For vessels fishing close to port pre-notification can be given two hours before landing and at least before arrival in port.</li> </ul>
▪ <b>Landing declaration requirements</b>	<ul style="list-style-type: none"> <li>• The submission of landing declarations is not required for Danish vessels landing in Denmark because the authorities are of the opinion that the information contained in the landing declaration is the same as what is recorded on the sales note. Denmark has implemented an alternative system which involves the communication of the sales notes in an electronic format.</li> </ul>
▪ <b>Sales notes requirements</b>	<ul style="list-style-type: none"> <li>• Sales notes are mainly transmitted online by the buyer. ( or by post for small companies)</li> </ul>
▪ <b>Transport of catches</b>	<ul style="list-style-type: none"> <li>• Direct transport of catches after landing to processing plants or to auctions on the west coast is common practice. The marketing of fish is based on direct sales to registered buyers and transport of catches</li> <li>• The requirements for transport documents are implemented. A copy of the log sheet can be used as a transport document.</li> </ul>
▪ <b>Inspection organisation and resources</b>	<ul style="list-style-type: none"> <li>• In Denmark the responsibility for monitoring and surveillance of fishery activities (quota management and data entry, inspection policy and the physical inspections in the harbours and at sea) are the responsibility of a single authority.</li> <li>• Denmark has a large number of possible landing places which requires considerable human resources to assure an adequate level of inspection. Budgetary constraints appears to limit, in some areas, the number of inspectors available for inspection and the possibility's to do inspections outside office hours.</li> </ul>

	<ul style="list-style-type: none"> <li>• Pre-notification messages are stored on a webpage and are therefore accessible for all inspectors in the inspection offices and on the road (mobile phone/laptop). In addition the catch registration database is also accessible for inspectors.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Weighing of landings</b></li> </ul>	<ul style="list-style-type: none"> <li>• It is common practice to weigh the fish on board and to land the catch in standardised boxes.</li> <li>• Most landings are made in standardised boxes. The Danish authorities accept a 5 % weighing tolerance based on Reg. (EEC) No 3703/85 (marketing standards).</li> <li>• Although equipped with a mobile weighing scale, sample weighing of catches seems not to be a standard practice (or at least not a priority) during landing controls.</li> <li>• A sampling plan based on the 2004 statistics and a 95 % accuracy has been produced to achieve the 20% sample weighing benchmark.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Margin of tolerance</b></li> </ul>	<ul style="list-style-type: none"> <li>• Although the requirements regarding the margin of tolerance are implemented approximately, 58 % of the log sheets collected show a difference over 8 % between the estimated weight and the weight actually landed. The main reason for this seems to be that fishermen are still declaring logbook estimates in gutted weight.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Cross checking of data</b></li> </ul>	<ul style="list-style-type: none"> <li>• The Fisheries Directorate (Copenhagen) runs a daily validation system. There is a 100 % cross checking between sales note data and log sheet data. When a problem is detected the regional office is notified and is requested to carry out an investigation/follow up.</li> <li>• A target is set to run an expanded cross check for each vessel one's per month.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Data management</b></li> </ul>	<ul style="list-style-type: none"> <li>• An integrated and centralised database is available. The methodology for data entry is at a high level.</li> <li>• Noteworthy is the fact that the database is accessible for the local inspectors, in the port offices as well as on the field (wireless laptop access) and gives feedback on missing catch registration documents. Log sheets are scanned and are available on screen.</li> <li>• The use of log sheets and sales notes is well integrated. New Logbooks are issued by the regional inspection offices.</li> <li>• Upon inspection logbooks are collected by the inspectors. Masters issue the completed log sheets to the local office.</li> <li>• The log sheets are screened for any inconsistencies or incomplete information. Masters are contacted for clarification if needed.</li> <li>• The original documents always stored in the office were the data is entered.</li> <li>• Normally data is entered within 2 to 3 days after receipt. In order to facilitate document transfers between offices the original log sheets are scanned. The data entry work can be shared between offices according to the fishing and landing activity in a certain area.</li> <li>• Catch registration is based on the sales note data.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Verification using VMS data</b></li> </ul>	<ul style="list-style-type: none"> <li>• Inspectors operating at sea and on land have real time access to VMS data which is routed from the FMC to the Fishery Protection Vessel via a permanent satellite communication link. Shore-based inspectors can access the system through a dial-up facility over the mobile-phone network.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Results of data analyses</b></li> </ul>	<ul style="list-style-type: none"> <li>• During the mission 57 landings were monitored.(13 vessels &lt; 10 m and 44 vessels &gt; 10 m)</li> <li>• Analyses of the collected data sets (recorded catch data from the inspected and non inspected landings) resulted in a 12,79 % suspected under recording.</li> <li>• Some logbook sheets of the landings that were monitored by Commission inspectors were altered.</li> </ul>

<ul style="list-style-type: none"> <li>▪ <b>Landing obligations</b></li> </ul>	<ul style="list-style-type: none"> <li>• Notwithstanding the provisions of the transitional measures, landing times and places are not restricted.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Follow up</b></li> </ul>	<ul style="list-style-type: none"> <li>• There is a scheme of administrative sanctions available for apparent infringements related to catch registration.</li> <li>• Unregistered catches can sometimes be an issue for special investigations by a specialist team.</li> <li>• Upon detection of an apparent infringement, the infringement is recorded on the inspection report and an official report is transmitted to the police for further follow up. No immediate enforcement action has been observed.</li> </ul>

## Germany

<ul style="list-style-type: none"> <li>▪ <b>Mission Evaluation Factor</b></li> </ul>	<ul style="list-style-type: none"> <li>▪ <b>Observations and Remarks</b></li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>National Control action plan</b></li> </ul>	<ul style="list-style-type: none"> <li>• A control action plan was forwarded to the Commission. However, the plan does not specify any inspection targets.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Special permit for cod</b></li> </ul>	<ul style="list-style-type: none"> <li>• All vessels over 8 m fishing for cod are required to hold a special permit issued by the Bundesamt für Landwirtschaft und Ernährung (BLE).</li> <li>• In practice almost all German Fishing vessels, including some vessels mainly active in the North Sea, have been issued a permit.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Designated port scheme</b></li> </ul>	<ul style="list-style-type: none"> <li>• In total 13 ports were designated, including two ports on the North Sea coast. The list was communicated.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Logbook requirements</b></li> </ul>	<ul style="list-style-type: none"> <li>• The inspection authorities accept that vessels observed record several trips on one log sheet.</li> <li>• It was observed that in some cases EC-logbooks are distributed by the PO.</li> <li>• All vessels carrying a special permit were issued an EC-logbook.</li> <li>• In 3 occasions during the missions vessels were found discharging cod without a completed logbook on board.</li> <li>• Submission of log sheets prior to landing was not enforced.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Pre notification system</b></li> </ul>	<ul style="list-style-type: none"> <li>• There is a pre-notification system in place.</li> <li>• The vessels are allowed to pre-notify by telephone (answering machine) and by fax. The messages have to be sent to the harbour inspection office responsible for the port of landing. The messages are registered.</li> <li>• National regulation requires that vessels over 15 m pre-notify irrespective of the catch composition on board.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Landing declaration requirements</b></li> </ul>	<ul style="list-style-type: none"> <li>• Landing declarations are not completed, instead the weighing note issued by the commune or PO is attached.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Sales notes requirements</b></li> </ul>	<ul style="list-style-type: none"> <li>• Sales notes are issued by private buyers or PO's.</li> <li>• The landing of catches and the taking over of those catches by the PO for transport to auctions and processing plants in other Member States seems to be considered 'first sale'. Most auctions in other Member States (notably in The Netherlands) consider the arriving catches 'second sale fish'. However, it was observed that the catches are only then properly sorted weighed and graded. The detailed sale note produced by the receiving auction is transmitted to the German authorities. However this sale note does not specify the vessel name but only the total quantity of the catches</li> </ul>

	transported by the PO.
<ul style="list-style-type: none"> <li>▪ <b>Transport of catches</b></li> </ul>	<ul style="list-style-type: none"> <li>• Transport of catches to processing plants, buyers and auctions in other Member States is common practice. These transports are mainly organised by the producers' organisations. Transports can consist of collected fish from small coastal vessels.</li> <li>• The enforcement of the transport document requirements is very low.</li> <li>• It was observed that catches are directly transported after discharge to other Member States without being weighed, graded or sorted. The catches transported are considered to be second sale and are therefore only accompanied by a basic transport document.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Inspection organisation and resources</b></li> </ul>	<ul style="list-style-type: none"> <li>• The BLE has the overall responsibility for quota management and enforcement of the requirements of the common fisheries policy. However, the monitoring and surveillance of fishery activities (landing inspections in the ports) is the responsibility of the Regional Government (Länder). Inspection methodologies and priority's differ from region to region.</li> <li>• The inspectors (2-3) posted in the main fishing ports are involved in a broad range of administrative tasks (60%).</li> <li>• Each port office has the responsibility to monitor the landings in several harbours along the coast. The limited number of inspectors, the distances to be travelled between ports and the other tasks assigned leave very limited scoop for landing inspections, in particular outside office hours and in the week-ends.</li> <li>• The observed landing inspections showed that the local inspectors have the necessary technical and legal background for carrying out landing inspections.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Weighing of landings</b></li> </ul>	<ul style="list-style-type: none"> <li>• The German authority's claim that only catches of vessels that make fishing trips on a daily base can be sample weighed. Hygienic requirements and the lack of appropriate market or weighing infrastructures do not allow the German authorities to sample weigh catches of bigger vessels (iced fish).</li> <li>• It is common practice that fishermen weigh the fish on board and land the catch in boxes ready for transport.</li> <li>• Landing inspections of vessels returning with catches that are ready boxed and iced on board are only based on a box count. When the catches are transported to auctions in other Member State (Dutch and Danish) it is considered the responsibility of the inspectors in the auction to establish the catch composition.</li> <li>• Inspectors in the Sassnitz area are dependent on the weighing facilities of the commune. For these services the inspectorate has to pay a weighing fee.</li> <li>• Mobile weighing equipment is available for inspectors since summer 2005 in the Heiligenhafen region.</li> <li>• The sample weighing indicated that there is only a limited under declaration at the level of the unit box weights declared.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Margin of tolerance</b></li> </ul>	<ul style="list-style-type: none"> <li>• The 8% margin of tolerance is implemented. According to the national control action plan the margin of tolerance will be checked during sea and port inspections.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Cross checking of data</b></li> </ul>	<ul style="list-style-type: none"> <li>• A manual cross check is carried out in the port offices between the collected log sheets and the attached weighing notes (take over declarations). When discrepancies are detected the master is contacted for clarification.</li> <li>• Sales notes are not cross checked (submitted later) but immediately transmitted to the catch registration input offices (BLE /</li> </ul>

	<p>Rostock) for input.</p> <ul style="list-style-type: none"> <li>• The fact that direct sales may be combined with sales through the PO makes cross checking complicated.</li> <li>• When the data is keyed in at the data input offices (BLE or Rostock) an automated cross check is carried out between the log sheet data and the sales notes.</li> <li>• The use of catch registration documents and the collection and cross checking of them seems to be considered more an administrative requirement rather than an inspection tool.</li> </ul>
<p>▪ <b>Data management</b></p>	<ul style="list-style-type: none"> <li>• An integrated and centralised database is in place. Data input is done at Länder level (Rostock) for Mecklenburg-Vorpommern and at the BLE (Hamburg) for Schleswig Holstein.</li> <li>• Completed log sheets, with the weighing note attached are submitted to the local port offices.</li> <li>• In some ports the PO collects all catch registration documents and, according to local inspectors, do a preliminary cross-check before submitting them to the local port office. The fact that PO's are assigned to manage the quota of it's members and at the same time take care of the catch registration requirements, could undermine the reliability of the quota uptake figures and the use of catch registration documents as an inspection tool by fishery inspectors.</li> <li>• Sales notes are submitted to the local port offices by the private buyer or the PO.</li> <li>• The catch registration documents are forwarded by regular post from the local port office to the catch registration input offices (BLE / Rostock) for data input.</li> <li>• Catch registration is based on the sales note data.</li> </ul>
<p>▪ <b>Verification using VMS data</b></p>	<ul style="list-style-type: none"> <li>• Germany has restricted the access to the VMS system for security reasons. Only a handful of individuals at four port offices in autonomous Länder have access to the VMS system. Therefore there is very limited use of VMS information for targeting inspections.</li> <li>• The German officials demonstrated that cross-checking of data is carried out to some extent and methodologies are being developed to further explore the potential of the VMS.</li> </ul>
<p>▪ <b>Results of data analyses</b></p>	<ul style="list-style-type: none"> <li>• During the mission 26 landings were monitored.(7 vessels &lt; 10 m and 19 vessels &gt; 10 m)</li> <li>• Analyses of the collected data sets (recorded catch data from the inspected and non inspected landings) resulted in a 13,59 % suspected under recording.</li> </ul>
<p>▪ <b>Landing obligations</b></p>	<ul style="list-style-type: none"> <li>• Notwithstanding the provisions of the transitional measures there are no restrictions for vessels when to land and where to land.</li> </ul>
<p>▪ <b>Follow up</b></p>	<ul style="list-style-type: none"> <li>• A scheme of administrative sanctions is available. However, in order to set a fine for a certain infringement, the particular legal reference has to be listed in the so called 'Seefischerei-Bußgeldverordnung'. The level of the fines for certain infringements differs between the Länder.</li> <li>• Upon detection of an infringement, the infringement is noted on the inspection report and the report forwarded to the main regional office for further follow up.</li> <li>• There seem to be limited powers to implement immediate enforcement actions. (seizure, prohibition of landing...)</li> </ul>



## Estonia

Mission Evaluation Factor	Observations and Remarks
<ul style="list-style-type: none"> <li>▪ <b>National Control action plan</b></li> </ul>	<ul style="list-style-type: none"> <li>• A basic control action plan has been produced and forwarded to the Commission. The plan does not specify an inspection target.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Special permit for cod</b></li> </ul>	<ul style="list-style-type: none"> <li>• All vessels over 8 m fishing for cod require a special permit.</li> <li>• A permit is issued by the Ministry of environment for one calendar year.</li> <li>• 22 vessels have been issued a permit, later the list has been extended with another 10 vessels.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Designated port scheme</b></li> </ul>	<ul style="list-style-type: none"> <li>• Initially 4 ports were designated. Although no cod landings were expected by the local inspectors 1 vessel landed over more than 2 tons of cod in the non designated port of "Nasva". This port was later added to the list which was communicated to the Commission.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Logbook requirements</b></li> </ul>	<ul style="list-style-type: none"> <li>• New Logbooks are issued by regional inspection offices.</li> <li>• All vessels carrying a special permit (all above 10 m) have an EC-logbook on board.</li> <li>• Submission of log sheets prior to landing was not enforced.</li> <li>▪</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Pre notification system</b></li> </ul>	<ul style="list-style-type: none"> <li>• A pre notification system is implemented as a general provision for marine fisheries in Estonia.</li> <li>• A central call centre is manned 24 hours and forwards pre-notification information to the regional inspectorates.</li> <li>• A prior notification system is in place as required by Community law. A central call service managed by the Environmental Inspectorate is operational 24 hours a day to record the incoming pre notification messages and to forward them to the relevant regional inspection service.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Landing declaration requirements</b></li> </ul>	<ul style="list-style-type: none"> <li>• The requirements regarding the landing declaration are implemented and enforced. The landing declaration provided for on the EC-logbook format is completed.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Sales notes requirements</b></li> </ul>	<ul style="list-style-type: none"> <li>• Sales notes are completed by the buyers on a standardised sales note template.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Transport of catches</b></li> </ul>	<ul style="list-style-type: none"> <li>• The requirements regarding transport documents are implemented. A copy of the log sheet may be used as transport document.</li> <li>• The transport of fish has to be notified to the regional office by fax.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Inspection organisation and resources</b></li> </ul>	<ul style="list-style-type: none"> <li>• The Fishery Resources Department of the Ministry of Environment is responsible for the enforcement of the requirements of the CFP. In practice the Environmental Inspectorate and it's regional offices are responsible for the landing inspections and monitoring of the fishing activity.</li> <li>• There are approximately 15 inspectors available for landing inspections of marine fisheries spread over three regional inspection offices. The working scheme of the inspectors guarantees 24 hour coverage.</li> <li>• There are very few cod landings in Estonian ports. Landing inspections and sample weighing of pelagic vessels are the main inspection target.</li> </ul>

<ul style="list-style-type: none"> <li>▪ <b>Weighing of landings</b></li> </ul>	<ul style="list-style-type: none"> <li>• The marketing of fish is based on direct sales to registered buyers at the point of landing.</li> <li>• On board bigger vessels, it is common practice to weigh the fish on board and to land the catch in boxes ready for transport.</li> <li>• Mobile weighing equipment is available for inspectors. However, it is expected that the number of cod landings will be very low.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Margin of tolerance</b></li> </ul>	<ul style="list-style-type: none"> <li>• The 8 % margin of tolerance is implemented. For the calculation the conversion factor of the country of landing is used.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Cross checking of data</b></li> </ul>	<ul style="list-style-type: none"> <li>• A manual quality check of the submitted catch registration documents is carried out before data entry.</li> <li>• The database has an integrated cross checking tool for the catch registration data. When discrepancies are detected the relevant catch registration documents are sent to the regional inspection office for further investigation.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Data management</b></li> </ul>	<ul style="list-style-type: none"> <li>• There is an integrated and centralised catch registration system data base in place.</li> <li>• Completed log sheets and landing declarations have to be submitted by the master to the Environmental Inspectorate in Tallinn. Sales notes have to be submitted by the buyer to the same office.</li> <li>• Input of the catch registration data is centralised at the Environmental Inspectorate (Tallinn).</li> <li>• Because of the fact that most Estonian vessels targeting cod are landing catches in other Member States ports a delay of 72 hours is accepted for transmission of log sheets.</li> <li>• Catch registration is based on the landing declaration.</li> <li>• The quota uptake calculation is only based on the landing declaration figures submitted by the fishermen. Most cod of Estonian vessels is landed in other Member States ports. The Estonian authorities receive aggregated data from Denmark and Sweden.</li> <li>• Only recently sales note data are being received from other Member States.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Verification using VMS data</b></li> </ul>	<ul style="list-style-type: none"> <li>• Currently a limited amount of cross-checking of logbook data against VMS information is taking place.</li> <li>• Cross-checking is carried out by the FMC by consulting VMS information against catch registration information.</li> <li>• Port inspectors have no direct access to VMS data. Occasionally request VMS information to target landings.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Results of data analyses</b></li> </ul>	<ul style="list-style-type: none"> <li>▪ In 2005 only two vessels landed cod in an Estonian port. The number of available log sheets collected for Estonian vessels was too limited to carry out analyses to assess the possible level of under recording of catches.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Landing obligations</b></li> </ul>	<ul style="list-style-type: none"> <li>• Notwithstanding the provisions of the transitional measures there are no restrictions for vessels where to land or when to land.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Follow up</b></li> </ul>	<ul style="list-style-type: none"> <li>• Inspectors have the powers to impose fines. There is a scheme of sanctions in place (maximum level for certain infringements).</li> <li>• When the fine exceeds a certain level, the inspector has to start a criminal procedure.</li> <li>• The licence can be withdrawn when a second infringement is detected in the same calendar year.</li> </ul>

## Finland

Mission Evaluation Factor	Observations and Remarks
<ul style="list-style-type: none"> <li>▪ <b>National Control action plan</b></li> </ul>	<ul style="list-style-type: none"> <li>• A control action programme was produced and forwarded to the Commission on 15 Feb.2005; the plan specifies a 100% cod landing inspection.</li> <li>• The Ministry of Agriculture and Forestry (Department of fisheries and Game monitors and manages the quota uptake.</li> <li>• The regional Inspection units (TE-Keskus Centres) are responsible for the catch registration and the monitoring of landings.</li> <li>• All basic catch registration measures have been implemented.</li> <li>• The use of log sheets, landing declarations and sales notes is enforced.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Special permit for cod</b></li> </ul>	<ul style="list-style-type: none"> <li>• Permits are granted on request for a period of one year. A limited number of vessels (active in the Southern part of the Baltic Sea) carry a permit.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Designated port scheme</b></li> </ul>	<ul style="list-style-type: none"> <li>• Although it seems unlikely that a vessel would land more than 750 kg of cod in a Finnish port, the Finnish authorities designated 14 ports in order to meet the requirements of the Regulation. This list had been communicated to the Commission.</li> <li>▪</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Logbook requirements</b></li> </ul>	<ul style="list-style-type: none"> <li>• New logbooks are issued by the Regional Inspection Units. Finish log sheets have an additional table for details concerning the first buyer to be completed by the master.</li> <li>• All vessels carrying a special permit (all above 10 m) have an EC-logbook on board. Log sheets are distributed by the local inspection offices. Submission of log sheets prior to landing was not enforced.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Pre notification system</b></li> </ul>	<ul style="list-style-type: none"> <li>• The pre-notification requirements are imbedded in a national regulation. Pre-notification messages have to be communicated via Turku Radio to the local inspection office.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Landing declaration requirements</b></li> </ul>	<ul style="list-style-type: none"> <li>• The landing declaration provided for on the EC-logbook format is completed.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Sales notes requirements</b></li> </ul>	<ul style="list-style-type: none"> <li>• The sale notes requirements are implemented. However, because of the fact that most cod landings are landed and sold in other Member States, the Finnish authorities are very much dependent from the sales notes that are been received from other Member States' authorities.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Transport of catches</b></li> </ul>	<ul style="list-style-type: none"> <li>• The requirements for transport documents are enforced. A special transport document is used. However, the monitoring and enforcement of these requirements seems to be low.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Inspection organisation and resources</b></li> </ul>	<ul style="list-style-type: none"> <li>• All landings of Finnish vessels targeting cod are in other Member States ports.</li> <li>• An inspectors exchange was organised with other Member States (Denmark in particular) in order to assist on the inspection of landings of Finnish fishing vessels in other Member States' ports.</li> <li>• The cod recovery measures had a limited impact on the day to day inspection work in Finnish ports However, only a limited number of inspectors are dealing with sea fisheries inspection. Taking into account the number of possible landing places the available human resources for fisheries inspection can be considered insufficient.</li> <li>• There is a hypothetical 100% inspection target set for vessels landing over 300kg of cod in Finnish ports.</li> </ul>

<ul style="list-style-type: none"> <li>▪ <b>Weighing of landings</b></li> </ul>	<ul style="list-style-type: none"> <li>• Cod is only landed as a by-catch in Finnish ports. (Approx. 200 kg in 2005). Mobile weighing equipment is available for inspectors. If big landings would occur, the weighing methodology would be based on the methodology applied for pelagic landings.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Margin of tolerance</b></li> </ul>	<ul style="list-style-type: none"> <li>• The 8 % margin of tolerance is implemented.</li> <li>• The Finnish authorities claim that catch registration documents are cross checked. All the logbook sheets collected for verification had a difference of more than 8 % between the figure recorded in the logbook and the declared landed weight.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Cross checking of data</b></li> </ul>	<ul style="list-style-type: none"> <li>• Upon entry of the catch data, the catch registration data base provides for an automated cross-check between the estimated log book weights and the recorded landing weights.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Data management</b></li> </ul>	<ul style="list-style-type: none"> <li>• All catch registration documents are to be submitted to the Regional Inspection Unit of the port of registration. (TE-Keskus Centres). At the Regional Inspection Unit the data is keyed in to the catch registration database of the Department of Fisheries and Game.</li> <li>• Because of the fact that most Finish vessels are landing the catch in other Member States waters, log sheets are faxed to the inspection office. However, by doing this some vessels seem to keep the original log sheets on board for several months.</li> <li>• There is an integrated and centralised catch registration system in place.</li> <li>• Catch registration is based on the landing declaration.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Verification using VMS data</b></li> </ul>	<ul style="list-style-type: none"> <li>• VMS is available in the port offices of Turku, Vaasa, Cotka and Helsinki. According to Finnish officials, VMS is consulted on a daily basis and forms an integral part of the inspection duties, as it compliments the strategy to target efforts on landings.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Results of data analyses</b></li> </ul>	<ul style="list-style-type: none"> <li>• Because there are very few landings in Finnish ports of vessels targeting cod, no landings could be monitored in order to collect sample data. However, all logbook sheets collected of landings in other Member States ports demonstrated discrepancies of the 8% margin of tolerance.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Landing obligations</b></li> </ul>	<ul style="list-style-type: none"> <li>• Notwithstanding the provisions of the transitional measures there are no restrictions for vessels where to land or when to land.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Follow up</b></li> </ul>	<ul style="list-style-type: none"> <li>• There are no provisions for an administrative sanction scheme. All infringements against the Common Fisheries Policy have to be sanctioned using a criminal procedure. This criminal procedure can be long and cumbersome providing for a limited deterrent effect.</li> </ul>

## Latvia

Mission Evaluation Factor	Observations and Remarks
National Control action plan	<ul style="list-style-type: none"> <li>A control plan was produced and received by the Commission on 11 Feb. 2005 There was an inspection target fixed at 40 % of cod landings.</li> </ul>
Special permit for cod	<ul style="list-style-type: none"> <li>A special permit regime is in place for vessels fishing for cod, the permit scheme also includes the coastal fleet.</li> </ul>
Designated port scheme	<ul style="list-style-type: none"> <li>There is a designated port scheme in place.</li> <li>3 ports were designated in Latvia. The list was transmitted to the Commission.</li> </ul>
Logbook requirements	<ul style="list-style-type: none"> <li>All basic catch registration measures have been implemented.</li> <li>The use of log sheets, landing declarations and sales notes is enforced. However, masters of coastal vessels issued with a permit and therefore required to carry a logbook, seem to ignore the obligation for the recording of daily estimates.</li> <li>The coastal fleet has been issued with a coastal logbook.</li> <li>All vessels issued with a special permit have to carry an EC-logbook. According to the national control action plan the master has to submit the appropriate logbook sheet to the local inspection office before commencement of the landing.</li> </ul>
Pre notification system	<ul style="list-style-type: none"> <li>There is a pre-notification system in place. Pre-notification messages have can be communicated by SMS text message or by e-mail to the Fisheries Monitoring Centre (FMC) operational 24 hours a day. Messages are registered and immediately forwarded to the inspector on duty in the appropriate inspection region.</li> </ul>
Landing declaration requirements	<ul style="list-style-type: none"> <li>The landing declaration provided for on the EC-logbook format is completed.</li> <li>The quality of the landing declaration can in some cases be questioned; some landing declarations were completed before the landing was actually finished.</li> </ul>
Sales notes requirements	<ul style="list-style-type: none"> <li>Sales notes are completed by the buyers on standardised forms ('notification on first transaction').</li> <li>There is a high level of confidence between the masters and the buyers, the figures of the landing declaration are used as a base for the sales notes.</li> <li>In practice the landing declaration and the sales notes are completed right after landing.</li> <li></li> </ul>
Transport of catches	<ul style="list-style-type: none"> <li>Catches are transported immediately after landing to processing plants inside or outside the harbour area.</li> <li>A document 'notification on the first transaction with fish' to be completed by the buyer can be used as transport document.</li> </ul>
Inspection organisation and resources	<ul style="list-style-type: none"> <li>The Latvian National Board of Fisheries (NBF) has the overall responsibility for quota management. Catch registration is the responsibility of the Fisheries Monitoring centre (FMC) of the Marine and Inland Water Administration (MIWA) in Riga. Landing inspections are carried out by MIWA inspectors based in the regional control division offices at the main fishing ports.</li> <li>The FMC is manned 24 hours and plays a central role in collecting all the information useful for targeting inspections. Based on the</li> </ul>

	<p>VMS data, pre notification data and other useful information available to the FMC operator, inspectors in the ports can target their landing inspections.</p> <ul style="list-style-type: none"> <li>• There are approximately 14 persons available for landing inspections (9 inspectors and 5 landing controllers) for the 2 main control sectors.</li> <li>• Inspectors and landing controllers have a range of administrative tasks (Approx. 50 %).</li> <li>• Inspection benchmarks are set at a very high level (50 % of all cod landings).</li> <li>• The observed landing inspections showed that the local inspectors have the necessary technical and legal background for carrying out landing inspections. However, the limited number of inspectors and landing controllers available for the number of possible landing places can not always assure an adequate level of inspection.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Weighing of landings</b></li> </ul>	<ul style="list-style-type: none"> <li>• Sample weighing during the monitored landings revealed</li> <li>• Discrepancies up to 13,6 % on the standard 25 kg box weight.</li> <li>• On board bigger vessels, it is common practice to weigh the fish on board and to land the catch in boxes ready for transport. There are no public weighing facilities in the port.</li> <li>• Mobile weighing equipment is made available for inspectors. Sample weighing is not carried out systematically. However, the sample results observed during the mission would suggest the need for more sample weighing.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Margin of tolerance</b></li> </ul>	<ul style="list-style-type: none"> <li>• In respect of the margin of tolerance between the estimated weights in the logbook and the declared landed weights most of the documents collected show a 0 % tolerance. The daily estimates declared on the log sheet are usually the declared landed weight calculated back to live weight using the conversion factor.</li> <li>• The maximum permitted margin of tolerance of 8 % is enforced by national secondary legislation.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Cross checking of data</b></li> </ul>	<ul style="list-style-type: none"> <li>• A manual quality and cross check of the catch registration documents are carried out at the regional control office. If discrepancies are detected the master or buyer is contacted for clarification.</li> <li>• Upon data entry at the FMC an automated cross check is done between the log sheet, landing declaration and the sales notes (ICIS system).</li> <li>• Upon detection of an apparent infringement the documents are sent back to the regional control office for further investigation.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Data management</b></li> </ul>	<ul style="list-style-type: none"> <li>• There is an integrated and centralised catch registration system in place. (Integrated control and Information system – ICIS)</li> <li>• New Logbooks are issued by the fisheries control division unit.</li> <li>• Completed log sheets and landing declarations are submitted to the regional control sector office or in a dedicated post box in the harbour area. The completed sales notes have to be submitted by the buyer.</li> <li>• Input of the catch registration data into the Central Database is done at the 'Regional Control Sector Offices' (Liepaja, Ventspils and Riga).</li> <li>• After input the documents are transferred once per month to the MIWA headquarters in Riga.</li> <li>• Catch registration is based on the landing declaration information.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Verification using VMS data</b></li> </ul>	<ul style="list-style-type: none"> <li>• The FMC is operational and manned on a 24 hours/7 days a week schedule.</li> <li>• VMS is available in the port offices using a "PC Any Ware" Application. According to Latvian officials, VMS is consulted constantly and forms an integral part of the inspection duties.</li> </ul>

<ul style="list-style-type: none"> <li>▪ <b>Results of data analyses</b></li> </ul>	<ul style="list-style-type: none"> <li>• During the mission 20 landings were monitored.(3 vessels &lt; 10 m and 17 vessels &gt; 10 m)</li> <li>• Analyses of the collected data sets (recorded catch data from the inspected and non inspected landings) resulted in a 7,56 % suspected under recording.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Landing obligations</b></li> </ul>	<ul style="list-style-type: none"> <li>• Notwithstanding the provisions of the transitional measures there are no restrictions for vessels where to land or when to land.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Follow up</b></li> </ul>	<ul style="list-style-type: none"> <li>• A scheme of administrative sanctions is available. Decisions about an administrative fine are the responsibility of the inspector establishing the apparent infringement. The level of the fine is set by the inspectors within a fixed range for categories of infringements.</li> <li>• The control division unit can temporarily withdraw licences or permits (fishing licence, registered buyers etc...)</li> <li>• In two cases where a problem with the 8 % tolerance was detected the inspectors advised the master to change the figures in the logbook.</li> <li>• When infringements are detected inspectors have powers to implement immediate enforcement actions. (seizure of fishery products...)</li> </ul>

## Lithuania

<ul style="list-style-type: none"> <li>▪ <b>Mission Evaluation Factor</b></li> </ul>	<ul style="list-style-type: none"> <li>▪ <b>Observations and Remarks</b></li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>National control action plan</b></li> </ul>	<ul style="list-style-type: none"> <li>• A control plan was produced and forwarded to the Commission. An inspection target was set at 70 % of all cod landings.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Special permit for cod</b></li> </ul>	<ul style="list-style-type: none"> <li>• Only vessels having cod fisheries as their main activity have been issued with a special permit. However, not all vessels over 8 m carrying on board gear that is authorised to fish for cod were issued with a special permit.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Designated port scheme</b></li> </ul>	<ul style="list-style-type: none"> <li>• Due to the concentration of the fishing industry in the port of Klaipeda only this port had to be designated.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Logbook requirements</b></li> </ul>	<ul style="list-style-type: none"> <li>• New logbooks are issued by the Fisheries Control Division unit.</li> <li>• The coastal fleet has been issued with a coastal logbook.</li> <li>• All vessels holding a special permit were issued an EC-logbook. Logbooks are distributed by the local inspection office.</li> <li>• Vessels of the coastal segment carrying a special permit (1 vessel) are required to carry a coastal fishing logbook. The Lithuanian authorities are of the opinion that the national coastal logbook can also be considered 'a logbook' for vessels less than 10m that have been issued a special permit as specified in the requirements of Annex III to Council Regulation (EC) No 52/2005I.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Pre notification system</b></li> </ul>	<ul style="list-style-type: none"> <li>• There is a national requirement for all non-coastal vessels to pre notify their arrival in port (even without catch).</li> <li>• The prior notification system has been implemented. In addition a National Order requires that all non-coastal vessels pre-notify the time of arrival in port even if there are no catches on board or the vessel was targeting other species than cod.</li> <li>• Pre-notification messages have to be communicated by telephone or SMS text message directly to the inspector on duty. The</li> </ul>

	<p>notifications are registered, indicating when vessels are inspected or not.</p> <ul style="list-style-type: none"> <li>• There are no additional measures for coastal vessels with regards to pre-notification.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Landing declaration requirements</b></li> </ul>	<ul style="list-style-type: none"> <li>• In general the landing declaration requirements are complied with.</li> <li>• The landing declaration provided for on the EC-logbook format is completed.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Sales notes requirements</b></li> </ul>	<ul style="list-style-type: none"> <li>• The requirements regarding sales notes are enforced.</li> <li>• Sales notes are completed by the buyers on standardised forms.</li> <li>• There is a high level of confidence between the masters and the buyers, the figures of the landing declaration are used as a base for the sales note. Landing declarations and sales notes are completed together right after landing.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Transport of catches</b></li> </ul>	<ul style="list-style-type: none"> <li>• The marketing of fish is based on direct sales to registered buyers at the point of landing. The catches are transported to processing plants outside the harbour area.</li> <li>• A copy of the log sheet and sale note (take over declaration) is accepted as transport document.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Inspection organisation and resources</b></li> </ul>	<ul style="list-style-type: none"> <li>• The Ministry of Agriculture has the overall responsibility for quota management. In practice, the 'Fisheries Control Division' is monitoring the quota uptake and is responsible for the enforcement of the requirements of the CFP.</li> <li>• There is only one port (Klaipeda) accessible for fishing vessels. The inspection office is located in the port area.</li> <li>• The inspection targets are set at a high level. There are 4 inspectors available. 2 administrative staff also has inspection powers.</li> <li>• There is always one inspector on duty for carrying out inspections. This inspector has direct access to the pre-notification information. However, outside office hours landing inspections (and sample weighing) often have to be carried out alone.</li> <li>• Inspection benchmarks are set at a very high level (70 % of all cod landings).</li> <li>• The observed landing inspections showed that the local inspectors have the necessary technical and legal background for carrying out landing inspections.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Weighing of landings</b></li> </ul>	<ul style="list-style-type: none"> <li>• It is common practice to weigh the fish on board and to land the catch in boxes ready for transport. There are no public weighing facilities in the port.</li> <li>• Weighing equipment is available for inspectors. Sample weighing (based on a pelagic sample scheme) is done systematically during every landing inspection.</li> <li>• Sample weighing during the monitored landings only revealed minor discrepancies on the standard 25 kg box weight.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Margin of tolerance</b></li> </ul>	<ul style="list-style-type: none"> <li>• The requirements regarding the margin of tolerance are implemented through national order.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Cross checking of data</b></li> </ul>	<ul style="list-style-type: none"> <li>• A manual cross check is carried out between the live weight estimates and the landing declaration.</li> <li>• An automated cross check is done between the landing declaration and the sales notes. When discrepancies are detected the master is contacted for clarification.</li> </ul>



<ul style="list-style-type: none"> <li>▪ <b>Data management</b></li> </ul>	<ul style="list-style-type: none"> <li>• There is an integrated and automated catch registration system in place.</li> <li>• Completed log sheets and landing declarations have to be submitted in person by the master (or his representative) in the Fisheries control division office.</li> <li>• The completed sales notes have to be submitted by the buyer.</li> <li>• Input and archiving of the catch registration documents and data is done at the local 'Fisheries control Division' Office.</li> <li>• Catch registration is based on the landing declaration.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Verification using VMS data</b></li> </ul>	<ul style="list-style-type: none"> <li>• VMS is available in the port office of Klaipeda. According to Lithuanian officials, VMS is consulted on a daily basis and forms an integral part of the inspection duties.</li> <li>• Cross checks are done manually but systematically. The limited size of the fleet permits to check on fishing activity and the frequency of VMS data on a daily base.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Results of data analyses</b></li> </ul>	<ul style="list-style-type: none"> <li>• During the mission 16 landings were monitored (all over 10m).</li> <li>• Analyses of the collected data sets (recorded catch data from the inspected and non inspected landings) resulted in a 15,64 % suspected under recording.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Landing obligations</b></li> </ul>	<ul style="list-style-type: none"> <li>• Vessels can only land catches on dedicated places. Notwithstanding the provisions of the transitional measures there are no restrictions for vessels when to land</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Follow up</b></li> </ul>	<ul style="list-style-type: none"> <li>• A scheme of administrative sanctions is available. Decisions about an administrative fine are the responsibility of the inspector establishing the apparent infringement. The level of the fine is set by the inspectors within a fixed range for categories of infringements.</li> <li>• In addition the control division unit can temporarily withdraw licences or permits (fishing licence, registered buyers etc...).</li> <li>• When infringements are detected, inspectors have powers to implement immediate enforcement actions. (Seizure of fishery products or fishing gear etc.....)</li> </ul>

## POLAND

<ul style="list-style-type: none"> <li>▪ <b>Mission Evaluation Factor</b></li> </ul>	<ul style="list-style-type: none"> <li>▪ <b>Observations and Remarks</b></li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>National Control action plan</b></li> </ul>	<ul style="list-style-type: none"> <li>• A basic control plan has been forwarded to the Commission. The plan does not provide for a target for inspections.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Special permit for cod</b></li> </ul>	<ul style="list-style-type: none"> <li>• The special permit scheme has been implemented. All vessels fishing for cod have been issued a special permit. In practice the main part of the fleet had been issued a permit, including vessels smaller than 8 m.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Designated port scheme</b></li> </ul>	<ul style="list-style-type: none"> <li>• A designated port scheme is in place. The Polish authorities selected 13 ports as designated ports. The list was forwarded to the Commission.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Logbook requirements</b></li> </ul>	<ul style="list-style-type: none"> <li>• All vessels between 8 and 10 m carrying a special permit are required to have an EC-logbook on board.</li> <li>• Poland has implemented a requirement to submit the relevant original log sheet in a dedicated post-box prior to discharge.</li> <li>• Some vessels observed recorded several trips on one log sheet.</li> </ul>

<ul style="list-style-type: none"> <li>▪ <b>Pre notification system</b></li> </ul>	<ul style="list-style-type: none"> <li>• There is a pre-notification system in place. Masters are required to send pre-notifications to the Boarder Guard office (24 hour duty) of the port of landing. The notifications can be communicated by phone or VHF radio and a notification register is kept.</li> <li>• The Boarder Guard, with no competence in fisheries, does not actively inform the fishery inspectors of the received pre-notification messages. The Fishery Inspectors have to request pre-notification information from the Boarder Guard when on duty.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Landing declaration requirements</b></li> </ul>	<ul style="list-style-type: none"> <li>• The use of landing declarations is implemented</li> <li>• The main part of the landing declarations show a landed weight based on the sum of the estimated weights in the logbook calculated back to gutted weight using the conversion factor.</li> <li>• In many cases the landing declaration was completed before the start of the landing.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Sales notes requirements</b></li> </ul>	<ul style="list-style-type: none"> <li>• Standardised sales notes are completed by the buyers.</li> <li>• Most sales notes collected seem to be based on the calculated landing declaration figure and not the actual weight of the catch landed (established after weighing).</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Transport of catches</b></li> </ul>	<ul style="list-style-type: none"> <li>• It is common practice to transport of catches after landing, normally without weighing, to processing plants.</li> <li>• The requirements for transport documents are implemented. A copy of the log sheet can be used as a transport document. Indications were found during missions that the level of enforcement is low.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Inspection organisation and resources</b></li> </ul>	<ul style="list-style-type: none"> <li>• The responsibility for monitoring and surveillance of fishery activities (inspection policy and the physical inspections in the harbours and at sea) is given to Regional Inspectorates with depending port offices. As a result of this, inspection methodologies and priority's can differ from region to region.</li> <li>• The small number of inspectors (1-2) posted in the local port offices are involved in a broad range of administrative tasks (65 % of the time) giving limited scoop for inspection duties in the port.</li> <li>• Although in some cases special inspection teams have been installed that can operate in different ports, the number of inspectors available for landing inspections is limited.</li> <li>• There are no incentives for inspectors to work outside office hours although the main part of landings are in the evenings and in week-ends.</li> <li>• Inspectors have limited access to VMS and pre notification information in order to target inspections in particular outside office hours.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Weighing of landings</b></li> </ul>	<ul style="list-style-type: none"> <li>• The inspectors are provided with weighing scales and carried out sample weighing during the main part of the landing inspections observed. The sample results suggest the need for intensified sample weighing.</li> <li>• It is common practice that fishermen weigh the fish on board and land the catch ready boxed and iced.</li> <li>• The sample weighing indicated that there is a considerable under declaration at the level of the unit weights declared.</li> <li>• The unit weights declared on the landing declaration by the master were in some cases altered by the inspectors based on the results of the sample weighing.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Margin of tolerance</b></li> </ul>	<ul style="list-style-type: none"> <li>• The 8 % margin of tolerance is implemented.</li> <li>• 11 % of the collected log sheets show a difference over 8 % between the estimated weight and the weight on the landing declaration.</li> </ul>

<ul style="list-style-type: none"> <li>▪ <b>Cross checking of data</b></li> </ul>	<ul style="list-style-type: none"> <li>• A manual cross check is carried out in the port offices between the collected log sheets and sales notes is carried out. Upon detection of inconsistencies the master is contacted for clarification.</li> <li>• The main cross checking is done at the FMC. The system reports differences between log sheet and sales notes, reports missing log sheets etc...However, the FMC has no power to follow up apparent infringements. The task of the FMC is strictly limited to the management of the data base</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Data management</b></li> </ul>	<ul style="list-style-type: none"> <li>• New Logbooks are issued by the local port offices.</li> <li>• Completed log sheets (including the landing declaration) are submitted to the local port offices.</li> <li>• Sales notes are submitted to the local port offices by the buyer or master.</li> <li>• An integrated and centralised database is in place. The methodology for data entry is at a high level.</li> <li>• Approximately twice a week the catch registration documents are transmitted from the local port office to the Fishery's Monitoring Centre in Gdynia (FMC) for data input.</li> <li>• Catch registration and data entry is centralised and is the responsibility of the FMC. The data is entered 1 to 3 days after reception of the catch registration documents.</li> <li>• Local inspectors are informed by the FMC of any missing log sheets/sales notes to be collected from the Masters.</li> <li>• Catch registration is based on the sales note data.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Verification using VMS data</b></li> </ul>	<ul style="list-style-type: none"> <li>• Poland demonstrated that it is cross-checking and validating catch registration data with VMS data. Nevertheless, the discrepancies and inconsistencies between the VMS and the catch registration data suggest that cross-checking carried out by Poland is too sporadic and not applied diligently enough.</li> <li>• Inspectors have no direct access to VMS data. The use of VMS data to target inspections is low.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Results of data analyse</b></li> </ul>	<ul style="list-style-type: none"> <li>• During the mission 46 landings were monitored.(11 vessels &lt; 10 m and 35 vessels &gt; 10 m)</li> <li>• Analyses of the collected data sets (recorded catch data from the inspected and non inspected landings) resulted in a 48,71 % suspected under recording.</li> <li>• Log sheets collected show changes and alterations. Indications can be found on some log sheets that they were prepared or completed in such a way to allow easy alterations in the case of an apparent landing inspection.</li> <li>• Unregistered landings of cod were observed during unannounced missions.</li> <li>• Based on the observations during the landing inspections and the analyses of the catch registration documents collected the overall reliability of the catch data is very questionable.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Landing obligations</b></li> </ul>	<ul style="list-style-type: none"> <li>• Notwithstanding the provisions of the transitional measures there are no restrictions for vessels when to land and where to land.</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Follow up</b></li> </ul>	<ul style="list-style-type: none"> <li>• A scheme of administrative fines has been put in place since May 2005 for sanctioning apparent infringements. However, inspectors were reluctant to apply relative high minimum fine (520 €) for minor offences.</li> <li>• Inspectors have limited powers to implement immediate enforcement actions (seizure, and prohibition of landing).</li> <li>• A large number of infringements were detected during the missions and those infringements were reported. However, the number of cases effectively prosecuted or sanctioned seems to be low.</li> <li>• The limited investigative and operational powers assigned to the inspectors seem to have a negative influence on the deterrent results of landing inspections.</li> </ul>

**SWEDEN**

▪ <b>Mission Evaluation Factor</b>	▪ <b>Observations and Remarks</b>
▪ <b>National Control action plan</b>	<ul style="list-style-type: none"> <li>• A control plan has been produced and forwarded to the Commission on 14 Feb. 2005.</li> </ul>
▪ <b>Special permit for cod</b>	<ul style="list-style-type: none"> <li>• All vessels fishing for cod are required to hold a special fishing permit and keep the document on board.</li> </ul>
▪ <b>Designated port scheme</b>	<ul style="list-style-type: none"> <li>• 37 ports were designated in Sweden, covering the bigger part of possible landing places in the Baltic Sea. The list of ports was communicated to the Commission.</li> </ul>
▪ <b>Logbook requirements</b>	<ul style="list-style-type: none"> <li>• A stricter national logbook regulation requires that vessels record the estimated catch on a tow per tow bases immediately after every tow.</li> <li>• There is a system of coastal journals for vessels exempt of the EC logbook requirements.</li> <li>• All vessels issued with a special permit carry a logbook. In practice approximately 100 extra vessels have been issued a logbook.</li> <li>• The requirement to submit a logbook prior to discharge was not implemented.</li> </ul>
▪ <b>Pre notification system</b>	<ul style="list-style-type: none"> <li>• The pre-notification system has been fully implemented in Sweden. A national order requires that Swedish vessels pre-notify 4 hours before entering port. Masters have the right to pre-notify 2 hours in advance only when a first pre-notification has been given 8 hours in advance.</li> <li>• A number of pre-notified catches of cod on board were much lower than the weight actually landed when monitored.</li> </ul>
▪ <b>Landing declaration requirements</b>	<ul style="list-style-type: none"> <li>• In most cases the landing declaration provided for on the EC-log-sheet is completed and transmitted.</li> <li>• Close to 20 % of the landing declarations collected show a different figure than the sales notes collected for that relevant trip.</li> </ul>
▪ <b>Sales notes requirements</b>	<ul style="list-style-type: none"> <li>• The sales notes requirements are implemented.</li> <li>• Sales notes have to be transmitted by the buyer. (by e-mail or by post)</li> </ul>
▪ <b>Transport of catches</b>	<ul style="list-style-type: none"> <li>• The marketing of fish is based on direct sales to registered buyers.</li> <li>• Direct transport of catches after landing to processing plants is common practice.</li> <li>• The requirements for transport documents are implemented. A copy of the log sheet can be used as a transport document. Indications were found during missions that the level of enforcement is low.</li> </ul>
▪ <b>Inspection organisation and resources</b>	<ul style="list-style-type: none"> <li>• The Swedish Board of Fisheries has the overall responsibility for fisheries control in Sweden. Inspection priorities are defined in close co-operation with the Coast Guard. However, the Coast Guard is an autonomous body and the priorities defined could be adapted in function of other Coast Guard tasks.</li> <li>• The Coast Guard is responsible for the monitoring and inspection of landings in Swedish ports. The Coast Guard has extensive means but those means are used for a broad range of Coast Guard tasks. The main task assigned to the Coast Guard officers is to man the Coast Guard vessel and to patrol the Swedish Territorial Waters and EEZ. Although, all Coast Guard officers can carry out landing inspections only a limited number of people seems to be specialised in fishery inspection.</li> </ul>

	<ul style="list-style-type: none"> <li>Based on the observed landing inspections, the quality of the inspection methodology applied and the efficiency of targeting inspections seems to vary between inspection teams. The number of landing inspections against the reported means for landing inspection seems to be relatively low.</li> <li>The catch registration database is not accessible for Coast Guard officers. The pre-notification information was not always directly accessible for inspectors.</li> </ul>
<ul style="list-style-type: none"> <li><b>Weighing of landings</b></li> </ul>	<ul style="list-style-type: none"> <li>The 20% weighing requirement is considered contra-productive and resources consuming.</li> <li>4 control groups were established (with specially trained weighing controllers) Regional commands are to ensure that 20 % of landings are checked. However, It was unclear for the authorities how the 20% weighing benchmark should be interpreted.</li> <li>It is common practice that fishermen weigh the fish on board and to land the catch in standardised boxes.</li> <li>Sample weighing of boxes showed approximately 7 % difference between the declared unit weight and the net weight of the fish.</li> <li>A National Regulation provides a possibility for a 5 % water content weight deduction.</li> </ul>
<ul style="list-style-type: none"> <li><b>Margin of tolerance</b></li> </ul>	<ul style="list-style-type: none"> <li>The requirements regarding the margin of tolerance are implemented.</li> <li>Approximately 60% of the log sheets collected show problems at the level of the margin of tolerance.</li> </ul>
<ul style="list-style-type: none"> <li><b>Cross checking of data</b></li> </ul>	<ul style="list-style-type: none"> <li>There is an automated cross-checking system in place reporting differences above 5 % between sales notes and log sheets.</li> </ul>
<ul style="list-style-type: none"> <li><b>Data management</b></li> </ul>	<ul style="list-style-type: none"> <li>Management of the catch registration database and data input is the responsibility of the National Board of Fisheries in Gothenburg.</li> <li>An integrated and centralised database is available. The methodology for data entry and the benchmarks set are at a high level.</li> <li>The use of log sheets, landing declarations and sales notes is well integrated. Logbooks are issued by the National Board of Fisheries (Gothenburg).</li> <li>There are no structures in place to ensure that logbooks, landing declarations or sales notes are handed over promptly in port. Masters have to send in log sheets by postal service to the National Board of Fisheries.</li> <li>Catch registration is based on the landing declaration data.</li> </ul>
<ul style="list-style-type: none"> <li><b>Verification using VMS data</b></li> </ul>	<ul style="list-style-type: none"> <li>Direct access to VMS data by national inspectors is not possible. They must obtain this information from the central co-ordination unit or from one of the four regional centres where VMS data is part of the Coastguard surveillance system.</li> <li>Cross-checking of logbook returns with VMS data is carried out manually and only as part of wider investigations into vessels suspected of illegal fishing. There is no systematic or automated cross checking arrangements in place.</li> </ul>
<ul style="list-style-type: none"> <li><b>Results of data analyses</b></li> </ul>	<ul style="list-style-type: none"> <li>During the mission 43 landings were monitored.(11 vessels &lt; 10 m and 32 vessels &gt; 10 m)</li> <li>Analyses of the collected data sets (recorded catch data from the inspected and non inspected landings) revealed that there was a 21,42 % under recording in terms of LPUE.</li> <li>134 of the 215 collected log sheets were in breach of the 8% tolerance requirements.</li> <li>Only a few log sheets show apparent changes of the recorded data.</li> </ul>

<p>▪ <b>Landing obligations</b></p>	<ul style="list-style-type: none"><li>• There are no restrictions were or when catches can be discharged.</li></ul>
<p>▪ <b>Follow up</b></p>	<ul style="list-style-type: none"><li>• There is an extensive sanction system in place. However, any kind of follow up requires considerable resources. Only a limited number of reported infringements are forwarded for prosecution.</li><li>• When apparent infringements are detected during landing inspections the deterrent effect of the inspections seems to be limited. Apart from recording the infringement on the inspection form no other immediate follow up action has been observed.</li></ul>