

National Control Strategy for Fisheries in Finland



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Preface

The control of fisheries is an important task as we aim for the objective concerning the preservation and sustainable utilisation of the marine environment. As set down in the common fisheries policy of the European Union (CFP), the Member States are obligated to ensure the implementation and efficient supervision of the rules of the CFP.

In Finland the Department of Fisheries and Game of the Ministry of Agriculture and Forestry is responsible for the fisheries legislation and implementation of the CFP. Fisheries control in practice is the responsibility of the Fisheries Units of the Employment and Economic Development Centres (T&E Centres), which are assisted by the other control authorities, such as the Border Guard and Coast Guards, police and customs.

The National Control Strategy for Fisheries in Finland was dealt with at a fisheries control event organised by the Ministry and in the context of a performance guidance event between the Department of Fisheries and Game and Heads of Fisheries Units of the T&E Centres. The statements and comments on the Strategy were largely positive. The Strategy was complemented by the statement of the Province of Åland, and it will be updated on an annual basis.

The Control Strategy was prepared at the Department of Fisheries and Game of the Ministry. It is broader in scope than earlier. A report on the control of fisheries in Finland in 2000-2005 was attached to the Strategy. The Strategy document has been published in Finnish, Swedish and English.

The Control Strategy is primarily targeted at officials who carry out fisheries control tasks at the T&E Centres. The Strategy should make it easier to communicate on this highly demanding and important but not too well acknowledged work to external parties.

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CONTROL STRATEGY FOR FISHERIES

1 Introduction

The control of fisheries is an important task as we aim for the objective concerning the sustainable utilisation of fisheries resources and preservation of the marine environment. As set down in the common fisheries policy of the European Union (CFP), the Member States are obligated to ensure the implementation and efficient supervision of the rules of the CFP. Fisheries control in practice is the responsibility of the Fisheries Units of the Employment and Economic Development Centres (T&E Centres), which are assisted by the other control authorities, such as the Border Guard and Coast Guards, police and customs.

The National Control Strategy for Fisheries consists of a report on the control and inspections in recent years (Annex), assessment of the strengths and weaknesses, development proposals, vision, long-term objectives and short-term targets for the control. Important factors as regards the content of the strategy include the current organisation and intensity of the control, EU obligations, and regional key areas and objectives of different T&E Centres.

The report annexed to the strategy deals with the organisation of fisheries control in Finland and the related legislation and resources as well as the intensity of the control in 2000–2005. It is estimated that the development of fisheries control in Finland has been adequate and it has become an established practice after the changes caused by Finland's accession to the EU

in 1995. The Annex also presents a comparison of the organisation, resources and costs of fisheries control between Finland and the other EU Member States. The state of fisheries control in Finland has also been evaluated in light of the criticism put forward in Report from the Commission of 4 January 2005 on the monitoring of the Member States' implementation of the common fisheries policy 2000–2002 SEC(2004) 1718. The annexed report is based on information obtained from the T&E Centres and Provincial Government of Åland, control report submitted by the Ministry to the Commission, and Commission reports concerning the Member States. Recreational fishing and control of fishing in inland waters under the Fishing Act have been excluded.

The Control Strategy has been prepared and written at the Department of Fisheries and Game of the Ministry of Agriculture and Forestry. The Strategy was dealt with at a fisheries control event organised by the Ministry (1 November 2005) and in the context of a performance guidance event between the Department of Fisheries and Game and Heads of Fisheries Units of the T&E Centres. Statements on the Strategy were requested from the Fisheries Units of the T&E Centres, Provincial Government of Åland and Border Guard, which is subject to the Ministry of the Interior. The Ministry sent the Control Strategy on 1 March 2006 (Dno 1160/MMM/2006) as part of the strategy concerning the Fisheries Units of the T&E Centres and a more detailed plan to realise the performance objectives for 2006.

The Strategy will be revised on an annual basis.

2 Vision, strategy and objectives for the control of fisheries

2.1 Vision and long-term objectives

The intensity of the control of fisheries in the marine areas, catches landed and fish trade is higher than at present.

The efficiency of the control of the fishing and landing of Baltic herring and sprat has been improved by, for example, designated ports which apply the sampling programmes and systems required by the Community.

Fishing of salmon and other species in the coastal regions is efficiently controlled.

All fish buyers have been registered.

Cross-checks of declarations of fishers and buyers and other information needed in the control have been increased and the system has been automated.

Satellite control of the vessels, electronic diaries, central register for fisheries industry (KAKE), control website and other opportunities offered by modern technology are utilised in real time in fisheries control.

The monitoring system for inspections and fishing infringements are part of the central register for fisheries industry (KAKE).

The control and cooperation between the Ministry, T&E Centres and Coast Guards under the Border Guard is well managed, efficient, economical and equitable.

Unambiguous and regularly updated instructions are being applied in carrying out the control and inspections of fisheries.

2.2 Strategy for the control of fisheries

1. The objectives set by the EU and nationally are in line with each other.
 - the control must comply with the Community requirements
 - national performance objectives are reached

2. The control is correctly targeted, just and sufficiently open.
 - the standard of know-how and inspections is high
 - instructions are clear
 - education and training is efficient
3. Cooperation between the fisheries authority and other authorities is efficient.
 - high achievements by means of the limited resources, actions must be cost-efficient
 - fisheries are controlled in cooperation with, in particular, the Coast Guards and the police
4. Equipment and information technology is utilised efficiently.
 - technologies and information systems are used to the maximum
5. Regional perspective.
 - T&E Centres have the practical authority and competence in the control
 - regional key areas are established on the basis of 'fish flows' and problem areas (risks)
6. Performance guidance in accordance with the commonly agreed strategy.
 - regional key areas and performance objectives selected annually are combined into a national performance plan for fisheries control
7. Continuous development of the control system in accordance with the key areas and risks and the performance objectives derived from these.
 - control, inspections and their results are monitored
 - monitoring data can be measured and they are regionally uniform
 - functioning of the control system is evaluated and developed
 - common practices are applied in compiling information from the control and inspections to the information system (KAKE)

2.3 Control strategy and performance guidance process

The Department of Fisheries and Game of the Ministry of Agriculture and Forestry sets the annual performance objectives for the Fisheries Units of the T&E Centres. For the part of fisheries control the discussions on the actions, regional key areas and control strategy for the following year are held in a seminar each autumn. Based on these discussions the T&E Centres draw up their proposals for performance objectives and action plans for the control of fisheries. The final performance objectives are decided in negotiations between the Ministry and management (of fisheries) of the T&E Centres in November-December.

2.4 Practical short-term objectives and key areas

1. Raising the overall intensity of the control
2. Reaching the target for reducing drift net fishing
3. Control of selective salmon fishing (2005–2007)
4. Implementation of the control cooperation in the Baltic Sea and national control programmes (recovery of the cod stocks and sampling programme for unsorted landings)
5. Revision of the sampling scheme for pelagic fishing and landings
6. Extending satellite control to vessels required by the law and pilot project on electronic logbook
7. Development projects concerning the central register for fisheries industry (KAKE)
 - printouts of licences and special fishing licences
 - monitoring system for inspections and infringements
8. Development projects concerning fisheries control instructions and inspection procedures
9. Construction of a ControlNet (Intranet and external communication)
10. Reporting on control as required by law



3 Territories, control resources, regional key areas and control activity of the T&E Centres in 2006

Lapland T&E Centre:

Territory and control resources in 2006:

The territory of the T&E Centre is large and the distances are long. The headquarters in Rovaniemi are quite far away from the Bothnian Bay. There is less marine fishing than in the other coastal regions, but the T&E Centre is also responsible for fishing in inland waters, incl. the Simojoki and Tornionjoki rivers. Salmon fishing is very active during the open season. The control resource participating in the control of the sea and coastal region consists of 2 persons. In the Tornionjoki river the police and customs also participate in the control, supported by the Frontier River Commission. The Lapland T&E Centre has one control vessel at its disposal, besides the equipment of the Coast Guard and the police.

Key areas, risks:

The key areas in the control of the marine areas are the closed seasons for salmon, fishing in the Tornionjoki river area covered by the agreement, the Simojoki river mouth and terminal areas. Fish trade is also controlled, including inspections of small fish retailers purchasing fish.

Action plan, intensity of control and inspections in 2006:

Control in the Bothnian Bay and Tornionjoki river mouth for 10 days at sea. Fishing gear used during the closed season is inspected and the compliance with the law is verified according to fishing grounds. Gear used for selective fishing is inspected. 30 to 40 inspections of fyke nets and 10 inspections of fish traders are carried out. Technical control is carried out on the basis of declarations by fishers and fish traders and the granted licences. Registers related to the central register for fisheries industry (KAKE) are kept up-to-date.

Kainuu T&E Centre:

Territory and control resources in 2006:

The headquarters in Kajaani are very far away from the coast of the Gulf of Bothnia. The resources (2 AWU) are sufficient in proportion to the intensity of fishing activity. Fishing is mostly small scale activity along the coast, salmon fishing and trawling.

Key areas, risks:

Key areas in control in the marine regions are the closed seasons for salmon and selective fishing. (Oulu and Iijoki river terminal areas).

Action plan, intensity of control and inspections in 2006:

T&E Centre performs 10 control days in the marine regions and about 10 inspections of trawling vessels. 4 % of the landings are inspected. The intensity of the inspections of the gear and fish trade stays the same as in the past few years.

Ostrobothnia T&E Centre:

Territory and control resources in 2006:

Location of the T&E Centre in Vaasa is excellent in view of the extent of the territory and control of the sea coast. The resources (3 AWU) are sufficient for the control.

Key areas, risks:

- Functioning of the declaration procedure
- Control of quota species, temporal and regional targeting of control
- Control of selective salmon fishing, more accurate regional and temporal targeting
- More attention to the control of fish trade
- Further improvement of cooperation between different authorities

Action plan, intensity of control and inspections in 2006:

70 inspections of trawling vessels, 40 inspections of vessels on the coast with the aim of inspecting 6–8 % of the landings and 8–10 % of quantities landed. 30 days of control by the vessel of the T&E Centre (300 hours). Control in the marine areas is also carried out together with the Ostrobothnia Coast Guard.

Varsinais-Suomi T&E Centre:

Territory and control resources in 2006:

Location of T&E Centre central in view of the territory and control of the sea coast. Resources of the T&E Centre (3 AWU) are sufficient for the control.

Key areas, risks:

Control of pelagic fishing and introduction of sampling and weighing systems. Control of salmon fishing, drift net fishing and selective fyke net fishing. Further improvement in the control of fish trade, because unregistered fishers and purchases have still been observed in the region.

Action plan, intensity of control and inspections in 2006:

5 days of control at sea. 50 control trips and port inspections. The goal is to inspect 5 % of the landings and quantities landed.



Uusimaa T&E Centre:

Territory and control resources in 2006:

The location of the headquarters in Helsinki allows the control of the coast. Resources (2 AWU) are sufficient relative to the current fishing activity in the Gulf of Finland. Landings of Baltic herring and sprat have decreased clearly. Fishing is mainly salmon fishing by fyke nets and small-scale fishing along the coast. There is close cooperation with the Coast Guard stations of the Gulf of Finland e.g. in the control trips at sea.

Key areas, risks:

Key areas in the control at sea are fyke net and net fishing. The aim is to visit the fishing gear at the same time with the fishers. The registration of first-hand buyers continues. Fish traders are instructed and advised on the importance of the declaration procedure and obligations of traders. Cases where the declaration of purchases is repeatedly neglected are handed over to the police.

Action plan, intensity and control of inspections in 2006:

Control at sea by the T&E Centre's own vessel for 6.5 months (180 hours). 20 fyke net fishers of salmon, all 71 fyke nets for salmon are inspected at least once. At least 20 inspections of fish traders (83 % of the registered enterprises).

South-East Finland T&E Centre

Territory and control resources in 2006

Locating an individual inspector from the headquarters in Kouvolaa to Kotka. Close cooperation with the Uusimaa T&E Centre is needed in the use of the resources (1 AWU). Fishing in the Gulf of Finland has decreased, especially the landings of Baltic herring and sprat are quite small and salmon fishing by drifting longlines has also decreased. Most of the fishing is fyke net fishing of salmon and small-scale fishing along the coast. Trawlers operate outside the territory of the T&E Centre.

Key areas, risks

Key areas in the control at sea are fyke net fishing of salmon (selective fishing) and net fishing. Landings of trawlers are controlled by means of VMS in the Bothnian Sea and for the part of vessels landing in other countries.

Action plan, intensity of control and inspections in 2006:

15 control days at sea, 5 to 10 inspections of fyke nets and fish shops.

Province of Åland

Province of Åland has informed in its announcement 31 January 2006 (Dno 5866/703/ MMM) that the objectives and key areas in fisheries control in the Province of Åland in 2006 are the following:

- control of drift net fishing of salmon, especially in spring (May) at sea and upon landings
- control of national regulation rules for pikeperch fishing at sea and through fish shops, especially in late spring-early summer (ban on fishing during spawning from 15 May until 15 July envisaged)
- regulation and control of fyke net fishing in spring in closed and spawning areas of pikeperch

- drawing up an agreement/plan on cooperation with the Boarder Guard (incl. possible training and written control directives/recommendations)
- monitoring and control of fishing by push-up fykes
- survey of intensified fisheries control in private waters
- survey of possibilities for additional resources for the fisheries control (own staff, purchased services/fisheries controllers, material resources: control boat, etc.)
- survey of possibilities for more efficient fisheries control in jointly-owned waters in cooperation with the owners of the waters (Fishing Act).

The Province of Åland has not set any quantitative objectives, such as numbers of inspections, etc.

Annex Report on the control of fisheries in Finland in 2000–2005

ANNEX

Report on the control of fisheries in Finland in 2000–2005

1 Background

The Finnish fisheries sector is very small compared to the large marine states of the EU. Unlike in most other Member States, in coastal fishery the non-quota freshwater species are economically more important. Recreational fishing is more significant in Finland than in many other EU countries.

Most of the fishing vessels are quite small, and professional fishing is mainly practised in coastal regions. On 1 January 2005 altogether 3,393 vessels and boats were included in the national fishing vessel register (Table 1). The registered length of only 154 vessels was more than 12 metres, while only 41 vessels had a registered length of more than 21 metres.

Table 1. Fishing vessels according to length and capacity (gross tonnage) classes on 1 January 2005.

Length	Number	GT	Number
<12 m	3239	<10 GT	3142
12–21 m	113	10–50	201
>21 m	41	>50	50
Total	3 393		3 393

In the six-year period 2000 to 2005 the number of registered vessels decreased by about 10 %. The decrease was the greatest, 37 %, in length class 12–21 metres (Table 2).

Table 2. Change in the number of fishing vessels by length class in 2000–2005.

Length	2000	2005	+/-	Change%
<12 m	3534	3239	-295	-8.3
12–21 m	179	113	-66	-36.9
>21 m	49	41	-8	-16.3
Total	3762	3393	-369	-9.8



The types of vessels in the register in 2006 included 127 pelagic trawlers and 2 bottom trawlers. The number of passive gear vessels, i.e. net and line vessels, was 47 and that of vessels for small-scale coastal fishery that were less than 12 metres long was 3,096 (Table 3).

Table 3. Number of vessels according to type of fishing on 1 January 2006.

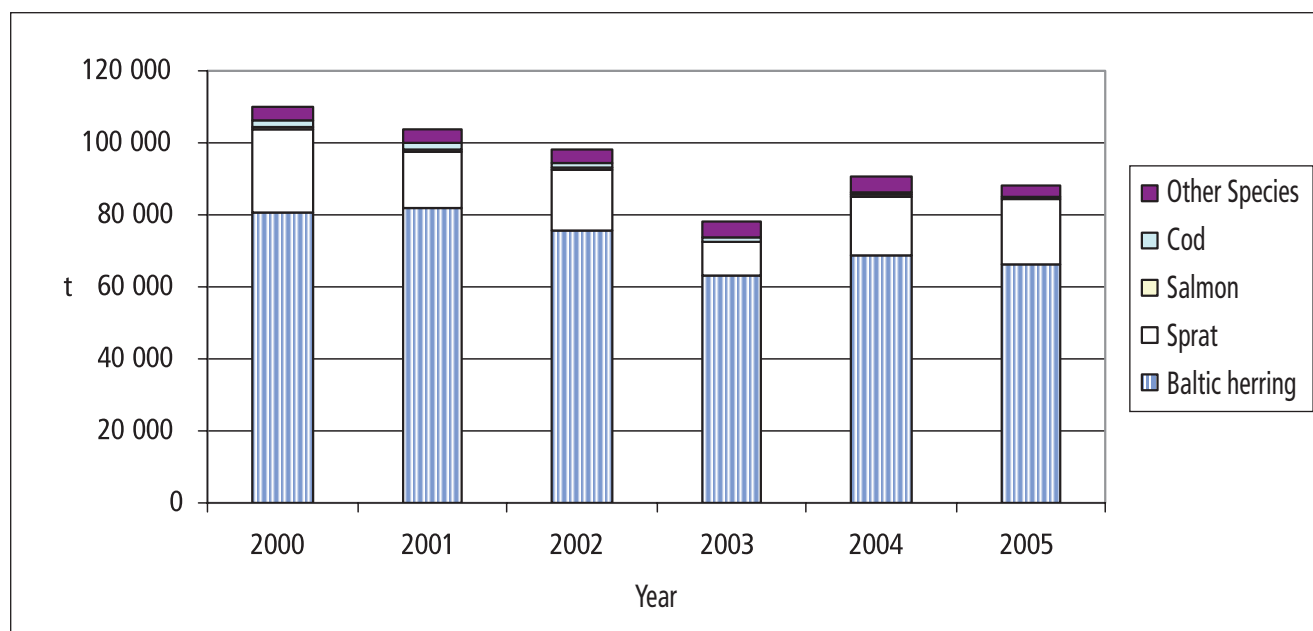
Type	Mainland	Åland	Total
Pelagic trawlers	124	3	127
Bottom trawlers	1	1	2
Passive gear vessels	42	5	47
Small-scale coastal	2 840	256	3 096
Total	3 007	265	3 272

The total catch of professional fishing in Finland varies according to the catches of the so-called pelagic fish species in the Baltic Sea, i.e. Baltic herring and sprat (Table 4 and Figure 1). In 2005 the share of the catch from trawling was about 79,700 t. The catch of professional fishers from fyke net fishing was 5,800 t and about 2,600 t were caught by nets.

Since the total catch of more than 100,000 t around the year 2000 the catches fell quite dramatically, especially in 2003, but since then they have been close to 90,000 t. According to statistics of the Finnish Game and Fisheries Research Institute, the catches of professional fishers at sea and in the coastal regions stayed above 100,000 t all through the 1980s and 1990s. The lower total catches in recent years are mainly due to the smaller Baltic herring quota in the Gulf of Bothnia. In 2002–2004 the trawling of Baltic herring was restricted by national statutes.

Table 4. Catch of professional fishing in Finland at sea in 2000–2005 (t).

	2000	2001	2002	2003	2004	2005
Baltic herring	80 700	81 900	75 600	63 358	68 503	66 457
Sprat	23 100	15 700	17 200	8 949	16 749	17 883
Salmon	591	444	441	343	362	461
Cod	1 817	1 716	1 044	1 163	867	283
Other species	3 800	3 800	4 100	4 264	4 300	3 229
Total	110 008	103 560	98 385	78 077	90 781	88 313



The share of Baltic herring caught for human consumption of the quota of the Gulf of Bothnia has grown in recent years. In 2005 40 % of the Baltic herring was used as food and 60 % as feedingstuff. From September onwards and in winter the share of salmon caught for food rises to more than 50 %, but it decreases towards the spring and summer.

Most of the Baltic herring and sprat quota is landed in a few main ports on the west coasts and in the Archipelago Sea. In 2004 altogether 50,400 t and in 2005 55,300 t were landed in the four largest ports (Kaskinen, Kasnäs, Uusikaupunki and Reposaari), which represents 73 % of all landings of Baltic herring and sprat in these two years.

Table 5. Landings of Baltic herring and sprat in the four largest ports in 2004 and 2005.

PORT	BALTIC HERRING	SPRAT	PELAGIC TOTAL	TOTAL	TOTAL
	tonnes	tonnes	tonnes	tonnes	%
Kaskinen 2004	17 132.4	209.7	17 341.1		
Kaskinen 2005	24 990.0	876.2	25 866.2		
Kasnäs 2004	8 413.4	7 468.1	15 881.5		
Kasnäs 2005	3 408.8	10 188.1	13 596.9		
Uusikaupunki 2004	8 563.5	1 017.6	9 581.1		
Uusikaupunki 2005	9 684.9	574.9	10 259.8		
Reposaari 2004	6 999.2	594.9	7 594.1		
Reposaari 2005	5 371.1	199.7	5 570.8		
Four largest ports 2004				50 398	72.8
Four largest ports 2005				55 293	73.3

In recent years catches of trawlers have been landed in about 40 fishing ports. In 2004 the landings totalled 69,900 t and in 2005 75,400 t. The landings of Baltic herring and sprat have concentrated to the largest ports: about 90 % of the landings

took place in the 10 and more than 95 % in the 20 largest fishing ports. The table does not include the catches of vessels that are less than 10 metres long which are declared by the so-called coastal fishing declaration.

Table 6. Main fishing ports for landings of Baltic herring and sprat in 2004.

PORT	BALTIC HERRING	SPRAT	PELAGIC TOTAL	TOTAL	TOTAL %
	tonnes	tonnes	tonnes	tonnes	
Kaskinen	17 132.4	209.7	17 341		
Kasnäs	8 413.4	7 468.1	15 882		
Uusikaupunki	8 563.5	1 017.6	9 581		
Reposaari	6 999.2	594.9	7 594		
Rauma	3 890.1	167.4	4 058	54 456	78.7
Konikarvo (Rahja)	2 220.6		2 221		
Klobbskat	1 834.5	64.5	1 899		
Himanka	908.4		908		
Bergö	627.9	71.3	699		
Jurmo	639.9		642	60 825	87.9
Varessäikkä	633.0		633		
Tuomarainen	629.5		630		
Riutunkari	584.5		584		
Vasklot	540.3	16.5	557		
Käldinge	514.8	41.5	556		
Särkäsalmi	516.5		517		
Kiviniemi (Kello)	492.3		492		
Korrvik	451.3	9.5	461		
Laupunen	446.7		447		
Vuosnainen	426.8		427	66 129	95.6
Other	2 569.2	485.9	3 055	69 184	100.0
	59 035.0	10 148.9	69 184		

Of the sprat caught in 2004 (16,749 t) about 3,200 t were landed in ports outside Finland and 3, 400 t were transhipped. In 2005 landings of Baltic herring and sprat by Finnish vessels in Sweden totalled about 2,000 t and landings in Denmark (mainly sprat) about 1,500 t.

At present the status of the cod stocks in the Baltic Sea is quite weak, which is reflected in smaller quotas and catches (Figure

2). In 2005 the landings totalled only 287 t, while in at the end of the 1990s and early 2000s Finnish vessels caught 1,000 to 3,000 t of cod per year. Today the cod fleet consists of only 2 trawlers and about 10 so-called net vessels. In 2005 the Finnish cod quota was 1,041 t (797 t + 244 t). Practically no cod has been found in the Finnish waters since the 1980s, and now all the cod is landed in the fishing ports of Denmark and southern Sweden.

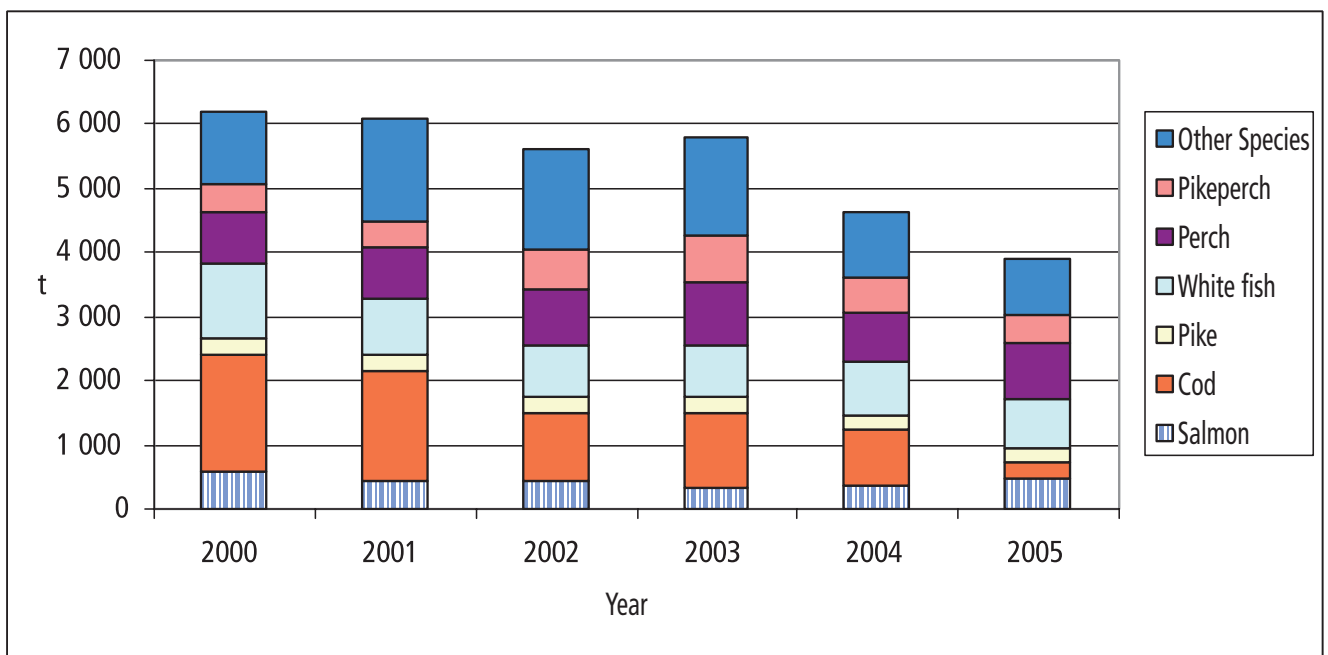


Figure 2. Catches of professional fishing (t) in 2000–2005, excluding Baltic herring and sprat.



Today salmon fishing in coastal regions takes place mainly by fyke nets and in the open sea by drift nets and lines. The salmon catch of Finnish professional fishers was falling steadily until 2005, when the selective fyke nets and fyke nets protected from seals were used for the first time. Most of the salmon is caught from the Gulf of Bothnia and the Bothnian Bay coast. Salmon is landed in relatively small lots at various ports and landing sites all along the coast.

Salmon fishing is significantly restricted by the national restrictions on salmon fishing in the Gulf of Bothnia. In recent years the salmon quota in the main basin and the Gulf of Bothnia has been 116,603 fish, of which 71,161 were caught in 2005 (61 % of the Finnish quota). Earlier the share of the quota allocated to Finland that was fulfilled was higher. In 2004 about 91,500 salmon were caught, which was about 85 % of the quota. Of the salmon caught in 2005 about



41,000 were landed in Finnish ports, 18,000 in Sweden and 12,000 in Denmark.

In 2005 the salmon quota for the Gulf of Finland was 13,838 fish, of which 8,473 were caught (about 61 %). The catches grew for the first time in years. Today almost all salmon fishing takes place by fyke nets in the Gulf of Finland.

The salmon catches of professional fishers have been falling steadily for about ten years, even if the stocking intensity has stayed about the same. The reason for the decrease is not known for sure, but the researchers have observed that especially the farmed smolts do not survive very well. The increased seal population in the Baltic Sea consumes its share of the fish stocks and causes difficulties for fishing by fyke nets.

Vessels and boats practising small-scale fishing in coastal regions land fish (Baltic herring, salmon, trout, white fish, pike-perch, perch, pike, etc.) at various small ports and wharves. In 2005 small-scale coastal fishing represented about 4,000 tonnes of the Baltic herring catch. In 2001 there were altogether 370 landing sites for fish catches on the sea coast of Finland, of which 80 were fishing ports and the rest were private wharves.

The fishing fleets of other countries are not very active in the Finnish territorial waters and economic zone. In recent years occasional transshipping to Russian, Estonian and Danish vessels has taken place.

In 2004 about 4,400 t of the Baltic herring quota was transhipped and 5,000 t landed by Finnish vessels mainly in Danish ports. Of the sprat catches in 2004 (16,749 t) about 3,300 t were transhipped and 3,120 t were landed in ports outside Finland. In 2005 about 1,150 of sprat and herring was transhipped. Herring landings by Finnish vessels in Sweden were 1,110 t in 2005 and sprat was landed 2,320 t in Sweden and Denmark.

Because of the severe weather conditions, fishing is often very difficult in the Finnish territorial waters and economic zone in winter. Especially in the northern parts of the Gulf of Bothnia and in the eastern parts of the Gulf of Finland the ice conditions reduce the fishing days at sea. At times fishing is not at all possible. However, the modern pelagic trawlers are quite well capable of operating even in very difficult conditions.

Vessels fishing under the Finnish flag have occasionally fished outside the Baltic Sea as well. Finland has one quota for areas outside the Baltic Sea, for Atlanto-scandic herring (ICES sub-areas I and II and international waters). Last year this quota was 417 t, and since 1997 this has been exchanged with Sweden for Baltic herring from the Gulf of Bothnia.

In Finland the first-hand fish trade is contract or direct trade, i.e. fish is not sold in auctions. Wholesalers, processors, as well as some retailers buy fish at ports directly from fishers and transport the fish to the companies.

2 Legislation on the control of fisheries

2.1 Control of fisheries in the EU

When Finland joined the EU in 1995 the Community had just reformed the common fisheries policy (CFP) and the control measures, which are one integral element of the policy (Council Regulation (EC) no 2847/93). According to Article 2 of the Regulation, each Member State must, within its territory, monitor, investigate and control all fishing activity, i.e. fishing, transshipping and landing of fishing products, selling, transporting and storing fish, and recording landings and sales.

The control of fisheries falls within the competence of each Member State, which means that the control is implemented as considered appropriate in each of them. The Community requires efficient control and consistent implementation of the control rules in the Member States. The Commission has made serious efforts to harmonise the control measures and procedures to ensure that the actors in the fisheries sector receive equal treatment in different Member States.

The Community has provided for uniform licences for the fishing vessels and fishing as well as special licences. The fishing logbooks, declarations of landings and procedures for the control of fish trade and market organisation have also been standardised. The fishing vessels of the Community use the Vessel Monitoring Systems (VMS) which automatically plot their positions, and the catches and purchases are monitored to implement the TAC and quota systems. The control and inspection methods for fishing, fleet capacity, market organisation and structural policy have been harmonised.

The Community legislation sets down a number of reporting obligations for the Member States. Each year the Member States compile comprehensive reports on their control system, its implementation and possible changes, control intensity, and observations of control and inspections. Serious fishing infringements are reported separately. Control investments receiving Community support are also carefully inspected. The Commission makes inspection visits to monitor and control the implementation practices of the Member States. The DG Fisheries of the Commission has a special unit of about 20 inspectors for this purpose.

In connection with the Management Committee on Fisheries and Aquaculture there is a group of control specialists, which discusses the necessary provisions for further specification of the Council Regulations and practical control questions. The Commission applies the management committee procedure for

issuing Commission Regulations that specify the Council Regulations concerning fisheries control in further detail. In recent years special regional control groups have been set up in connection with the recovery programmes for fish stocks (Gulf of Bothnia, Baltic Sea). Cooperation between Member States has been increased through joint control programmes.

In the context of the reform of the CFP, articles supplementing the Control Regulation were included in the Basic Regulation on CFP (EC) No 2371/2002. Articles 23 to 29 of the Basic Regulation lay down further rules concerning the division of the competence and responsibilities between the Member States and the Commission. According to the Regulation, the Member States must allow the activity of inspectors of another Member State in their territory. The Regulation also establishes common actions and programmes as well as a common control structure for the Member States. The common control structure was realised when the Council adopted a Regulation establishing a Community Fisheries Control Agency in spring 2005. The Regulation also lays down the functions of the Agency.

The new Fisheries Control Agency did not change the division of competences and responsibilities between the Member States, the Agency and the Commission, but the control of fisheries is still the competence of the national authorities. According to the Regulation, the Agency functions as a coordinating body, while the Member States ensure the necessary resources for the implementation of the common action programmes relating to the control.

The efforts to simplify the Community legislation include the codification and revision of the control regulation, which dates from 1993. The development of the legislation on Community control should lead to closer cooperation between the Baltic States especially in the control of the cod and pelagic fish stocks. The Member States were obligated to draw up the first special control programmes for the Baltic Sea in 2005.

2.2 National legislation on the control of fisheries

When Finland joined the EU, the Finnish Parliament adopted the Act on the Implementation of the Common Fisheries Policy (CFP) (1139/1994). According to section 3 of the Act, the Ministry of Agriculture and Forestry steers the control concerning the rules of the CFP. The Employment and Economic Development Centres (T&E Centres) control the compliance with these rules in their own territories.

As set down in section 4 of the Act, the Ministry ensures that registers needed for compliance with the CFP, control and statistics are being maintained. The Decision of the Ministry of Agriculture and Forestry (1575/94) concerning registers on fishe-



ries issued under the Act lays down further registration practices and procedures relating to the control of fishing vessels, monitoring the catches and fish trade. Under section 10 of the Act, the Ministry may issue further provisions on the restriction and other regulation of fishing.

According to sections 96 and 99 of the Fishing Act (286/82, amended by 493/97, 1066/04), the provisions concerning fishing are enforced by the fisheries authority, policy and customs, as well as border control authorities in frontier waters and in Finland's territorial waters and economic zone. According to section 101 of the Fishing Act, a sworn fishing controller and the police must seize unauthorised gear, catches and means of transport. According to section 1023 of the Fishing Act, when the person whose gear, catch or means of transport has been seized under section 101(2) is suspected guilty of an act which is subject to official charges or for which the owner of the water area or holder of the fishing right wishes to bring charges, the seized goods, except for the catch, must be handed over to the police as soon as possible.

According to Chapter 4, section 18 of the Act on the Autonomy of Åland (ÅFS 71/1991, FFS 1144/1991), the Province of Åland has legislative powers in the regulation and steering of fishing. This applies to the territorial waters of Åland within 12 nautical miles. The rules of the CFP have been implemented by the Act of Åland 40/1995. The use and regulation of fish resources is managed through annual negotiations and agreements between the Ministry and the Provincial Government of Åland. Fisheries control is carried out under the Act of Åland (ÅFS 39/1956).

The Community regulations on CFP obligate the Finnish citizens without any national legislative measures. The penalties and sanction system of fishing infringements and offences is based on national legislation. Sections 6–8 of the Act on the Implementation of CFP (1139/1994) lay down the penalties and forfeiture relating to fisheries control, including the seizure of the gear and catches, fines and temporary cancellation of licences and fishing permits. Fishing Act (sections 107–113) and Penal Code (39/1889, Chapter 48a(2)(i)(3)) lay down provisions on fishing infringements and offences, causing danger and serious danger to a fishing water, and the related sanctions.

Under Chapter 48a(5), the provisions of Chapter 1 on the bringing of charges and conviction for an offence committed outside Finland and directed at Finland also apply to a fishing offence committed outside the territorial waters and economic zone of Finland.

The fishing zone of Finland was changed into economic zone in 2004. According to section 96 of the Fishing Act, border control authorities carry out fisheries control in frontier waters and Finland's territorial waters and economic zone. Based on section 101(3) of the Fishing Act, the Border Guard is now, in the same way as the police, obligated to undertake measures also in areas other than those where the water area or fishing right belongs to the State. According to section 115, the T&E Centre in whose territory the section of the economic zone is located manages the fisheries control duties assigned to the T&E Centres. The border between the territories of the T&E Centres is considered to extend from the external border of the territorial waters in the same direction all the way to the external border of the economic zone.

3 Fisheries control organisations, tasks and resources in Finland in 2000–2005

3.1 Organisations and tasks

The competent authority in fisheries control is the Department of Fisheries and Game of the Ministry of Agriculture and Forestry. The Unit for Fisheries Industry manages, besides its other duties, the control of fisheries as well. The Ministry is responsible for the (performance) guidance, steering, implementation of EU legislation and national legislative proposals relating to the control.

The Fisheries Units of the Rural Departments of the T&E Centres perform fisheries control in their territories, Finland's territorial waters and all the way to the external border of the economic zone. Altogether six of the Fisheries Units are located on the coast: those of the Lapland, Kainuu, Ostrobothnia, Varsinais-Suomi, Uusimaa and South-East Finland T&E Centres. The T&E Centres organise and manage the control and inspections of fishing operations and catches, vessels and fishing gear, and fish trade and market organisation. They also maintain the control registers and the central register for fisheries industry (KAKE).

The Provincial Government of Åland is the competent fisheries control authority in the province and its territorial waters (12 nautical miles). Åland is responsible for directing the control, implementation of the legislation, and practical control and inspections in its own territory. The fisheries authorities of Mainland Finland have no competence within the Province of Åland. However, the Ministry of Agriculture and Forestry takes care of the reporting on the compliance with the CFP to the Commission.

The Border Guard and the Coast Guard subject to the Ministry of the Interior also manage fishing control as part of their general control functions. The Border Guard controls the sea areas from the sea and air, both independently and in cooperation with the inspectors of the T&E Centres and Åland, if so requested. Operative control measures relating specifically to fisheries legislation (inspections of fishing vessels, gear and landings at ports) are carried out in cooperation with the fisheries authority. If requested by the fisheries authorities the Coast Guards may offer transport assistance and accommodation at their stations, and they also produce traffic images which may be utilised by the T&E Centres. Traffic images give information on the

movement of fishing vessels that are not covered by the VMS. The Border Guards also have the VMS information on fishing vessels at their disposal.

Independent control of fisheries by the Coast Guards, including recreational fishing, takes place in connection with the other control, which concerns the compliance of a wide range of rules and regulations. Coast Guards may remove gear that may be dangerous to other sea traffic and inspect the locations and statutory markings of fyke nets.

In fishing infringements and offences the fisheries authorities may request executive assistance from the police or Border Guard. The police carries out the preliminary investigation of criminal offences, but after the reform of the law of 1 January 2005 the Coast Guards of the Border Guard may also carry out preliminary investigation. The material collected during such investigation is delivered to the public prosecutor for the consideration of charges.

The public prosecutor is a judicial official of the State who is responsible for ensuring that criminal offences lead to sanctions as set down by the law. The prosecutor assesses separately for each suspected person and act whether a crime has been committed and whether there is enough proof, i.e. evidence, to bring charges. This is done when there is likely cause to suspect that the person/party concerned may be guilty of an offence. If there is not enough proof or charges cannot be brought for some other reason - e.g. according to the law the right to institute criminal proceedings has become statute-barred - the prosecutor makes the decision on waiving the charges.

The police and customs carry out individual fisheries control tasks as executive assistance in the coastal regions and frontier waters e.g. in the Tornionjoki river area. The police also performs independent fisheries control as part of the general obligation to supervise the compliance with the law.

The Finnish Customs, which is subject to the Ministry of Finance, is responsible for the control and inspections of fish product imports. Until 2006 the National Veterinary and Food Research Institute was responsible for inspecting products of animal origin at the Finnish borders, and now this is the responsibility of the Finnish Food Safety Authority (Evira) both subject to the Ministry of Agriculture and Forestry. The veterinary and food authorities cooperate with the fisheries authorities in controlling the compliance with the provisions on hygiene and traceability of fish, incl. labelling fish for dioxin.

Maritime districts under the Ministry of Transport and Communications carry out the structural and technical inspections of fishing vessels that are more than 10 metres long.

3.2 Resources

3.2.1 Resources of the Department of Fisheries and Game of the Ministry

The “control team” of the Unit for Fisheries Industry of the Department of Fisheries and Game consists of two Senior Officers, a System Adviser and a lawyer. The total estimated annual work units used for the control are about 2.5 AWU.

The tasks of the control team are divided as follows:

- Senior Fisheries Officer: strategy, development of legislation, inspections, special control programmes, training = 0.5 AWU
- Senior Officer: financing of the control, monitoring the quotas, central register for fisheries industry (KAKE), training = 0.5 AWU
- lawyer: legal questions, legislation = 0.5 AWU

- System Adviser: VMS, KAKE, training = 1.0 AWU

The wage costs and other expenses of the control tasks at the Ministry (incl. travel expenses) are estimated at 150,000 €/year. The costs of maintaining the information systems for fisheries control (50,000 €) and VMS system (80 000 €) and other costs are estimated to total about 150 000 €/year.

Annual investments in fisheries control have been about 60,000 €.

3.2.2 Staff and investments in the control of T&E Centres and Åland

Table 7 presents the staff designated for fisheries control and an estimate of the annual work units actually used for the control:

Table 7. Control staff and estimated labour input in annual work units (=AWU) at T&E Centres and in Åland in 2000–2005.

Year		SEF	UM	VS	OS	KA	LA	ÅL	Total
2000	Number	2	1	2	2	2	2	3	14
	AWU est.	1	1	2	2	1	1	1	9
2001	Number	2	2	3	3	2	2	3	17
	AWU est.	1	1.5	3	2	1	0.5	1	10
2003	Number	2	2	3	3	2	2	1	15
	AWU est.	1	1.5	2	2.5	1	0.5	0.5	9
2004	Number	1	2	3	3	2	2	1	14
	AWU est.	0.5	1.5	2	2.5	1.2	0.5	0.5	9
2005	Number	1	2	3	3	2	3	..	14
	AWU est.	0.5	1.5	2.5	2.5	1.2	0.5	..	9

Territories of T&E Centres: SEF = South-East Finland, UM = Uusimaa, VS= Varsinais-Suomi, OS = Ostrobothnia, KA = Kainuu, LA = Lapland; ÅL = Province of Åland



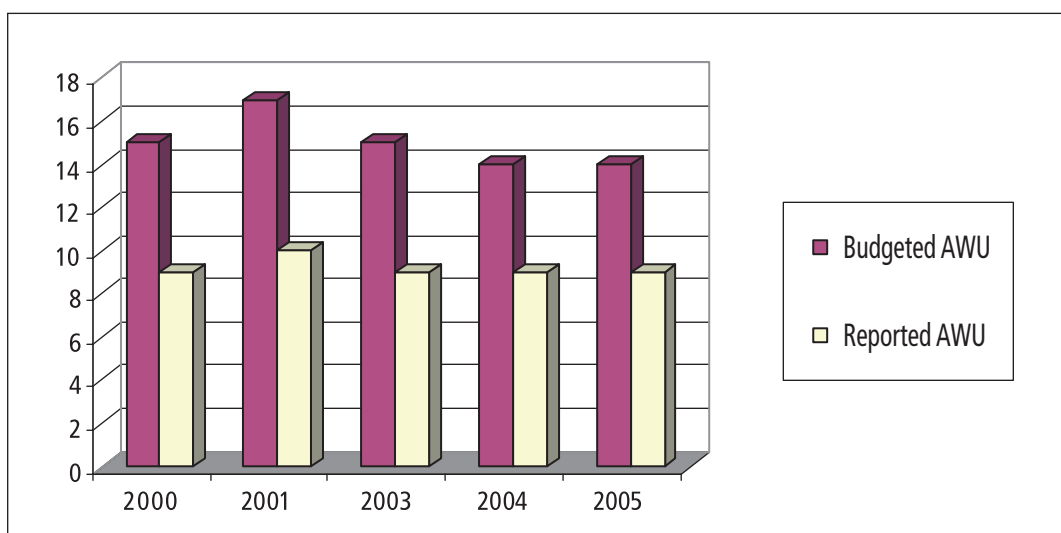


Figure 3. Trend in fisheries control staff and labour input in AWU at T&E Centres.

The real labour input used for the control (AWU) includes the field work in fisheries control and office work by the inspectors. The estimate includes the control and inspections of fishing, catches and fish trade, maintaining the information systems, VMS, control reports, and other fisheries control tasks. Possible assistance from other staff of the Fisheries Units has also been taken into account. Control of structural measures and related presentation tasks, control of recreational fishing and obliga-

tions, tasks under the Fishing Act and certain other tasks of the Fisheries Units have been excluded from the estimate.

The acquisition of control equipment was started in the mid-1990s. Annual investments have been about 100,000 €. Most of the vessels are quite small, suited for fisheries control near the coast. The Community has contributed about 50 % to the acquisitions.

Table 8. Control equipment at T&E Centres and in Åland in 2001–2005.

Vessels	SEF	UM	VS	OS	KA	LA	ÅL	Total
2001	1	1	1	0	0	1	1	5
2003	1	1	2	0	0	1	1	6
2004	1	1	2	1	0	1	1	7
2005	1	1	2	1	0	1	1	7
Vehicles								
2001	0	0	1	0	1	1	0	3
2003	0	1	1	1	1	1	0	5
2004	0	1	1	1	1	1	0	5
2005	0	1	1	1	1	1	0	5
VMS								
2001	no	yes	yes	yes	no	no	no	3
2003	remote access	yes	yes	yes	no	no	no	4
2004	remote access	yes	yes	yes	no	no	no	4
2005	remote access	yes	yes	yes	no	no	no	4

Territories of T&E Centres: SEF = South-East Finland, UM= Uusimaa, VS= Varsinais-Suomi, OS = Ostrobothnia, KA= Kainuu, LA = Lapland; ÅL= Province of Åland

The wage expenses of control tasks in the T&E Centres located on the coast (9 AWU), incl. social security contributions, are estimated at 0.4 mill. €/year. The annual travel, training, etc. costs are about 50,000 €. About the same amount is spent on the systems maintenance, vessels and vehicles, which means that the total annual costs are about 0.5 mill. €/year. Annual investments of T&E Centres in control fleet and equipment have been

about 50,000 €. The fisheries control expenses of the Provincial Government of Åland are estimated at 50,000 €/year.

The total costs of the fisheries control authority (Ministry, T&E Centres and Åland) have been roughly estimated at about 0.9 mill €/year (Table 9).

Table 9. Estimated fisheries control costs of the fisheries authority (€/year).

Wage expenses			Other operating expenses			Investments			Total
Ministry	T&E C.	Åland	Ministry	T&E C.	Åland	Ministry	T&E C.	Åland	
150 000	400 000	30 000	150 000	50 000	10 000	50 000	50 000	10 000	900 000

3.2.3 Resources of the Border Guard and Coast Guards

When considering the control resources of the Coast Guards of the Border Guard (Table 10) it should be kept in mind that fisheries control is only one aspect in a very broad field of tasks. The staff of the Coast Guards has been cut in recent years, but the equipment has been increased and modernised.

Table 10. Trend in the staff of Coast Guards in 2000–2005.

AWU		2000	2001	2003	2005
Gulf of Finland	Coast Guard Stations	150	150	140	160
	Patrol vessels				20–26
Western Finland	Coast Guard Stations	330	281	257	223
	Patrol vessels				65
Total		480	431	397	383

The strategy of the Border Guard until 2015 completed in 2005 states that the Border Guard will be developed as a diversified maritime law enforcement authority by means of the current

resources. However, later on it is noted that small Coast Guard Stations will be combined into operative entities, while the staff is cut.

The staff expenses of the Coast Guards are estimated at 10–15 mill. €/year. The staff resources used for fisheries control cannot be calculated accurately. If it is estimated that the share of fisheries control is 5 %, the resulting coefficient 0.05 gives 10–15 AWU, and the costs would be about 0.5 mill. €/year.

Both the Air Patrol Squadron and Coast Guard have modern and efficient aircraft, surveillance ships, coast guard and patrol boats and air cushion vehicles, which can be used for patrolling and possible inspections both in the archipelago and open sea.

The Air Patrol Squadron consists of the headquarters in Helsinki and three air fleets located in Turku, Helsinki and Rovaniemi. All these units have a helicopter on call at all times. The aircraft consists of three medium weight Super Puma helicopters, five Agusta Bell 412 sea rescue helicopters and two Dornier 228 surveillance airplanes. In recent years especially the number of helicopters has been increased.



Table 11. Trend in the equipment of the Coast Guards and Air Patrol Squadron of the Border Guard in 2000–2005.

		2000	2001	2003	2005
Coast Guard of the Gulf of Finland	Surveillance ships	3	2	2	2
	Guard and patrol boats	25	25	..	25
	Auxiliary vessels	12	7	..	..
	Air cushion vehicles	..	2	..	2
Coast Guard of Western Finland	Surveillance ships	5	4	4	4
	Coast patrol boats	13	13	..	12
	Patrol boats	..	32	..	25
	Auxiliary boats	30	..	..	26
	Air cushion vehicles	2	4	..	5
	Hydrocopters	2	..	..	2
Air Patrol Squadron	Airplanes	2	2	2	2
	Helicopters	2	3	8	8
	Aircraft total	4	5	10	10

The aircraft of the Air Patrol Squadron fly annually about 5,200 flight hours, of which 1,560 hours are control flights at sea. Another main task is sea rescue, and the other flight tasks include various kinds of search and rescue operations and transportation of patients on land and executive assistance. The total staff for the flight and maintenance operations is 113.

The share of fisheries control in the operating expenses of surveillance ships and aircraft cannot be estimated in any detail. The total consumption expenditure of the Border Guard is about 50 mill. €. Of this the share of control at sea may be estimated at about a third, and using the coefficient 0.05 established abo-

ve the share of fisheries control of the consumption expenditure would be about 0.8 mill. €.

Consequently, the estimated total staff and operating expenses of the Border Guard used for fisheries control are about 1.3 mill. €/year.

3.2.4. Police and customs

No estimates of the resources or AWU of the police and customs used for fisheries control were made for this report.

4 Control performance and intensity

4.1 Activity of operators in the fisheries sector in the territories of T&E Centres and Åland

The fishing vessels are divided into four types of fishing (vessel segments) at the moment. The number of registered vessels is the greatest in the territories of the Varsinais-Suomi and Ostrobothnia T&E Centres (Table 12), where the largest fishing ports are also located. The main reason for this is that most of the trawling takes place in the Bothnian Sea so that today most of the

trawlers registered in the Uusimaa and Kainuu T&E Centres also operate there. At present there are only two bottom trawlers in Finland. The number of salmon vessels (passive gear vessels) has also decreased along with the decrease in drift net fishing.

Most of the landings of salmon fishing used to take place in the Gulf of Bothnia and Bothnian Bay. In recent years the share of the Gulf of Bothnia has decreased clearly, and in 2004-2005 the landings of salmon took place quite evenly in different locations along the coast.

The number of landings of Baltic herring and trawling has been showing a decreasing trend in recent years (Table 14). However, the total catch of the pelagic species has not decreased, which means that the average catches per vessel have been growing.

Table 12. Number of vessels in different types of fishing according to T&E Centres and in Åland on 1 January 2006.

Segment	SEF	UM	VS	OS	KA	LA	Mainland	ÅL	Total
Pelagic trawlers	8	25	32	18	35	6	124	3	127
Bottom trawlers	0	1	0	0	0	0	1	1	2
Passive gear vessels	9	9	18	5	1	0	42	5	47
Small-scale	136	335	1 118	878	285	88	2 840	256	3 096
Total	153	370	1 168	901	321	94	3 007	265	3 272

Territories of T&E Centres: SEF = South-East Finland, UM= Uusimaa, VS= Varsinais-Suomi, OS = Ostrobothnia, KA = Kainuu, LA= Lappi; ÅL= Province of Åland

Table 13. Number of landings of salmon vessels in the territories of different T&E Centres and in Åland in 2002–2005.

	SEF	UM	VS	OS	KA	LA	ÅL	Total
2002	366	622	65	833	900	976	323	4085
%	9.0	15.2	1.6	20.4	22.0	23.9	7.9	100 %
2003	253	491	16	800	815	1 000	213	3588
%	7.1	13.7	0.4	22.3	22.7	27.9	5.9	100 %
2004	328	565	268	539	743	495	281	3219
%	10.2	17.6	8.3	16.7	23.1	15.4	8.7	100 %
2005	306	637	330	365	505	403	241	2787
%	11.0	22.9	11.8	13.1	18.1	14.5	8.6	100 %

Table 14. Landings of Baltic herring and sprat vessels in the territories of different T&E Centres and in Åland in 2002–2005.

	SEF	UM	VS	OS	KA	LA	ÅL	Total
2002	143	707	2 558	1 075	250	0	205	4 938
2003	89	255	1 630	697	490	0	141	3 302
2004	21	134	1 591	634	470	35	75	2 960
2005	20	65	1 171	836	560	38	0	2 690
Weighted %	2.0	8.4	50.0	23.3	12.7	0.5	3.0	100

Territories of T&E Centres: SEF = South-East Finland, UM= Uusimaa, VS= Varsinais-Suomi, OS = Ostrobothnia, KA = Kainuu, LA = Lappi; ÅL= Province of Åland

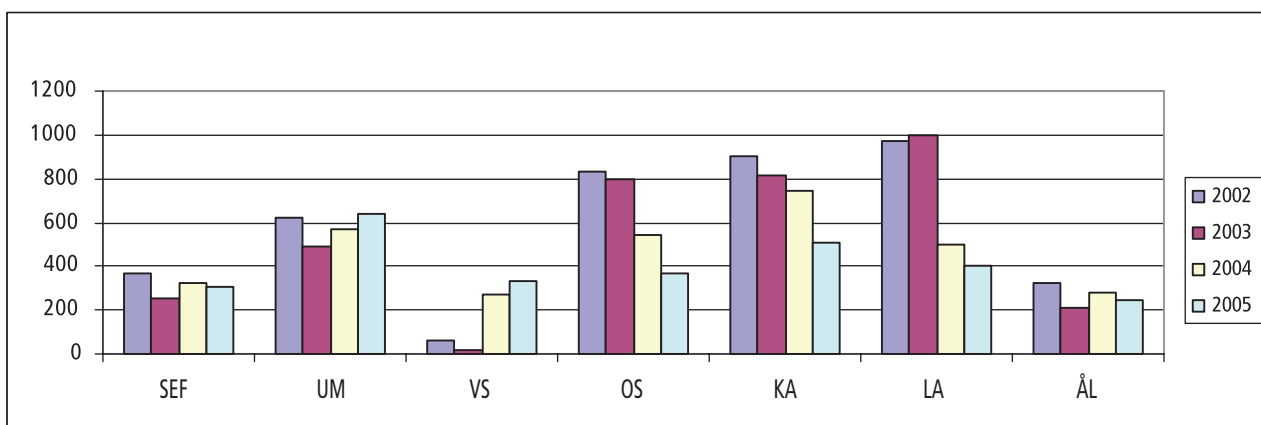


Figure 4. Salmon landings in 2002–2005 according to T&E Centres.

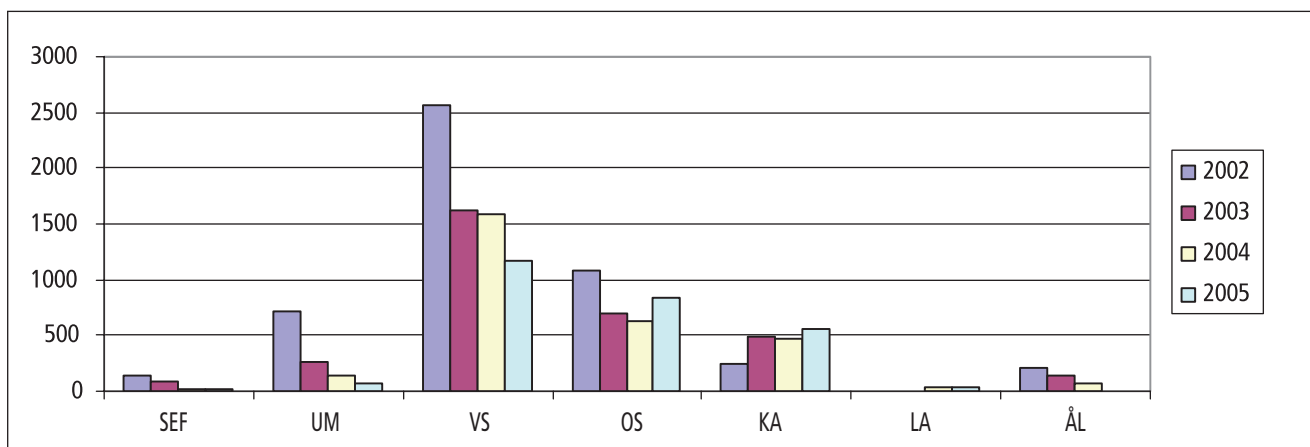


Figure 5. Baltic herring and sprat landings in 2002–2005 according to T&E Centres. Territories of T&E Centres: SEF = South-East Finland, UM= Uusimaa, VS= Varsinais-Suomi, OS = Ostrobothnia, KA = Kainuu, LA = Lappi; ÅL= Province of Åland.

Most of the vessels and boats practising small-scale coastal fishing and fishing of non-quota species (white fish, pikeperch, perch, pike) operate in the territories of the Varsinais-Suomi and Ostrobothnia T&E Centres.

4.2 Control intensity of T&E Centres and Provincial Government of Åland

In this report the intensity of control and inspections has been estimated e.g. on the basis of visits at fishing ports and number of inspections of landings, vessels and fish trade.

The number of control visits at fishing ports was the highest in 2001 (219). In other years the number of visits per year has varied between 125 and 150 (Table 16). Inspectors of the Varsinais-Suomi and Vaasa T&E Centres make the largest number of control visits to fishing ports.

Table 15. Control days at sea of the T&E Centres independently and together with the Coast Guards / police.

	SEF	UM	VS	OS	KA	LA	ÅL	Total
Independent 2000	10	18	12	0	0	3	..	43
Joint 2000	0	5	0	9	7	4	..	25
Independent 2001	10	6	6	0	0	0	0	22
Joint 2001	0	0	4	6	6	4	0	20
Independent 2003	15	25	14	0	0	0	..	54
Joint 2003	0	2	4	8	6	5	..	25
Independent 2004	20	19	3	2	0	3	0	47
Joint 2004	0	2	4	9	4	7	0	26
Independent 2005	..	25	11	26	..	..	0	62
Joint 2005	..	1	6	3	..	..	0	10

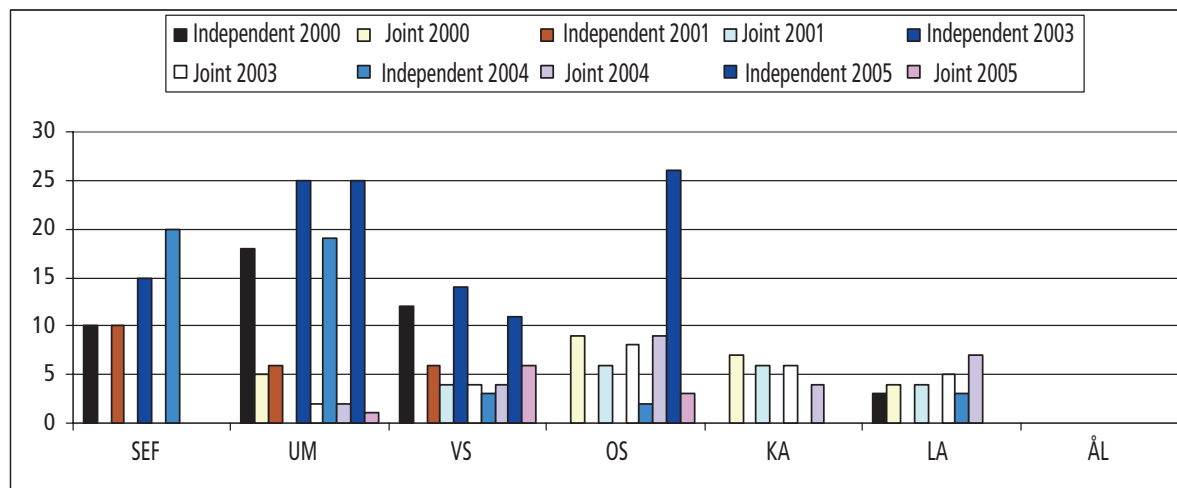


Figure 6. Control days at sea of the T&E Centres independently and together with the Coast Guards / police. Territories of T&E Centres: SEF = South-East Finland, UM= Uusimaa, VS= Varsinais-Suomi, OS = Ostrobothnia, KA = Kainuu, LA = Lappi; ÅL= Province of Åland

Table 16. Control visits to fishing ports in 2000–2005.

	SEF	UM	VS	OS	KA	LA	ÅL	Total
2000	2	15	23	48	25	15	10	138
2001	10	35	63	61	25	15	10	219
2002	3	32	34	33	25	15	10	152
2003	15	10	45	27	21	20	8	146
2004	3	15	20	58	30	14	8	148
2005	10	10	36	36	17	15	..	124

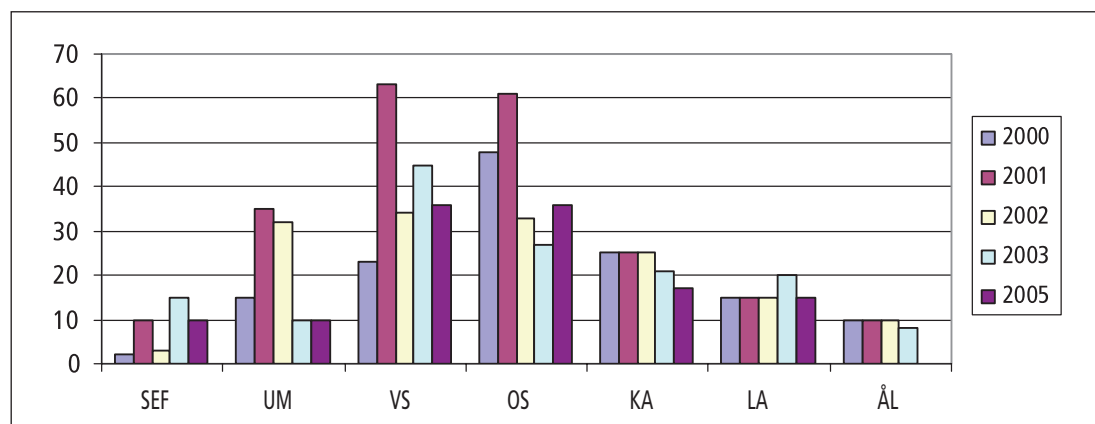


Figure 7. Control visits to fishing ports in 2000–2005. Territories of T&E Centres: SEF = South-East Finland, UM= Uusimaa, VS= Varsinais-Suomi, OS = Ostrobothnia, KA = Kainuu, LA = Lappi; ÅL= Province of Åland

When we calculate the number of inspections at ports relative to the amounts of quota species landed, we can see that in 2005 the control intensity was about the same as earlier or a little higher (Table 17). In recent years the number of inspections relative to landings has varied between 1.0 and 2.8 %. Table 17 is based the assumption that only one landing of a vessel was inspected in the port inspection.

In 2001–2002 and in 2005 about 200 vessels fishing the quota species were inspected each year, while in 2003 and 2004 about 100 of these vessels were inspected. The numbers of inspections were the highest in the territories of the Varsinais-Suomi and Ostrobothnia T&E Centres.

Table 17. Share of inspections at ports of all landings of salmon, Baltic herring and sprat vessels (%).

	SEF	UM	VS	OS	KA	LA	ÅL	Average
2000	0.0	1.5	0.8	1.0	3.0	0.0	1.0	1.0
2001	0.0	4.6	2.3	3.0	1.0	0.0	1.6	1.8
2002	0.4	2.1	2.8	3.4	1.4	1.0	1.9	1.9
2003	0.3	1.6	1.5	1.3	0.3	0.0	2.3	1.0
2004	0.9	2.1	1.1	4.9	2.5	2.6	1.1	2.2
2005	0.3	..	3.2	7.0	2.3	1.0	..	2.8

Table 18. Number of inspections of fishing vessels, quota species.

	SEF	UM	VS	PM	KA	LP	ÅL	Total
2000	0	0	25	27	20	20	6	98
2001	0	89	69	47	17	5	6	233
2002	1	28	74	48	12	7	10	180
2003	2	10	28	20	4	25	8	97
2004	5	1	24	37	20	15	4	106
2005	10	2	52	90	10	14	..	178

Territories of T&E Centres: SEF = South-East Finland, UM= Uusimaa, VS= Varsinais-Suomi, OS = Ostrobothnia, KA = Kainuu, LA = Lappi; ÅL= Province of Åland

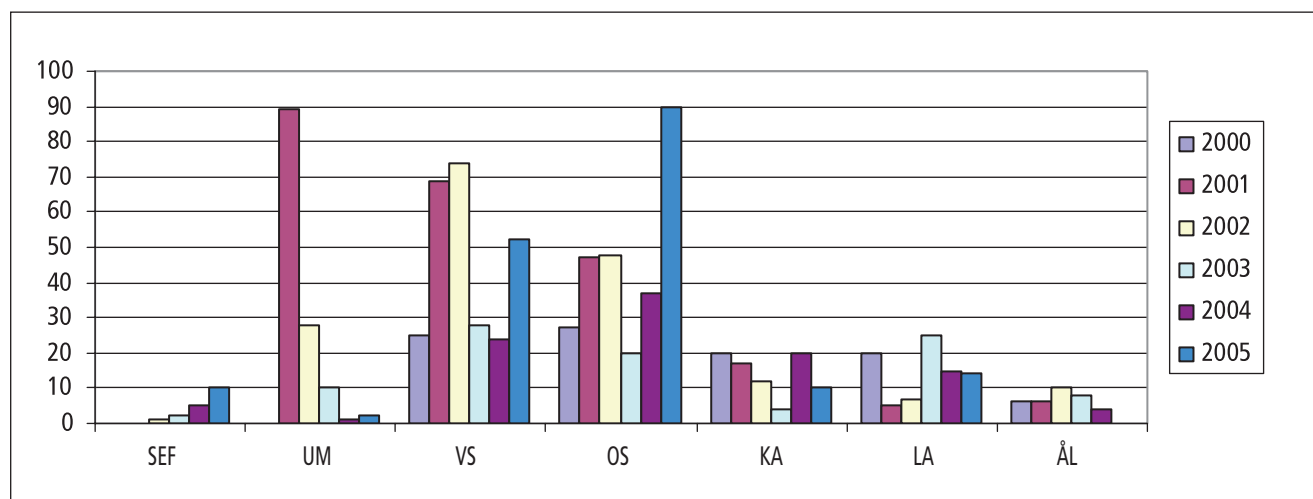


Figure 8. Number of inspections of fishing vessels, quota species. Territories of T&E Centres: SEF = South-East Finland, UM= Uusimaa, VS= Varsinais-Suomi, OS = Ostrobothnia, KA = Kainuu, LA = Lappi; ÅL= Province of Åland

Table 19 presents the number of inspections of passive gear. Because of the ambiguity of the concept "net" the figures between the different years and T&E Centres are not comparable with each other.



Table 19. Number of inspections of passive gear in 2000–2005.

	SEF	UM	VS	OS	KA	LA	ÅL	Total
FYKES								
2000	25	63	19	58	40	40	0	245
2001	25	50	24	79	50	20	0	248
2002	17	15	57	170	61	55	0	375
2003	10	8	18	107	105	40	0	288
2004	15	4	20	74	24	40	0	177
2005	12	42	54	152	83	52	..	395
NETS								
2000	30	30	55	2	40	30	0	187
2001	0	10	100	6	30	2	0	148
2002	100	10	20	30	16	15	0	191
2003	50	20	70	40	7	15	10	212
2004	30	19	171	693	11	20	20	964
2005	20	20	50	279	15	18	402	804
LINES								
2000	0	2	0	2	0	0	0	4
2001	0	0	5	0	1	0	0	6
2002	2	0	1	0	0	0	0	3
2003	0	1	0	1	0	0	0	2
2004	0	0	0	0	0	0	0	0
2005	0	0	0	1	0	0	1	2

Territories of T&E Centres: SEF = South-East Finland, UM= Uusimaa, VS= Varsinais-Suomi, OS = Ostrobothnia, KA = Kainuu, LA = Lappi; ÅL= Province of Åland

Sampling of the catches of Baltic herring and sprat vessels are mainly carried out by the Ostrobothnia and Varsinais-Suomi T&E Centres in the ports of the Bothnian Sea (Table 20).

Table 20. Numbers of samplings to find out the compositions of Baltic herring and sprat catches.

Number of samplings	SEF	UM	VS	OS	KA	LA	ÅL	Total
2002	..	12	71	26	0	0	2	111
2003	0	1	30	6	0	0	0	37
2004	0	0	17	26	0	0	0	43
2005	0	0	30	25	0	0	..	55

Table 21. Inspections of vessels of third countries and other EU countries and their landings in Finland.

	SEF	UM	VS	OS	KA	LA	ÅL	Total
Landings								
2002	0	0	12	35	0	0	0	47
2003	0	0	0	51	0	0	0	51
2004	0	0	0	87	0	0	0	87
2005	0	0	..	19	0	0	..	19
Inspections								
2002	0	0	2	3	0	0	0	5
2003	0	0	0	1	0	0	0	1
2004	0	0	1	6	0	0	2	9
2005	0	0	..	0	0	0	..	0
Inspections of mother ships								
2003	0	1	0	0	0	0	0	1
2004	0	0	0	0	0	0	0	0
2005	0	2	0	0	0	0	..	2

Territories of T&E Centres: SEF = South-East Finland, UM= Uusimaa, VS= Varsinais-Suomi, OS = Ostrobothnia, KA = Kainuu, LA = Lappi; ÅL= Province of Åland

The activity of other EU Member States and third countries is low and the number of landings by these is small, which means that quite few inspections of these are carried out in the Finnish territory and economic zone (Table 21).

In Finland the first-hand trade in fish is contract or direct sale, i.e. fish is not sold in auctions. Wholesalers, processors and some retailers purchase fish at ports directly from fishers and transport this to their companies. Many individual fishers and buyers have established relations and multi-year contracts. The control intensity and number of inspections of first-hand buyers were the highest in 2003–2004 (Table 22).

Table 22. Inspections of first-hand buyers of fish.

	SEF	UM	VS	OS	KA	LP	ÅL	Total
2000	0	0	15	8	10	8	0	41
2001	5	0	15	10	8	0	0	38
2002	4	10	5	5	17	9	3	53
2003	3	20	3	5	11	15	2	59
2004	2	14	6	11	16	10	2	61
2005	2	3	9	4	11	8	..	37

Territories of T&E Centres: SEF = South-East Finland, UM= Uusimaa, VS= Varsinais-Suomi, OS = Ostrobothnia, KA = Kainuu, LA = Lappi; ÅL= Province of Åland

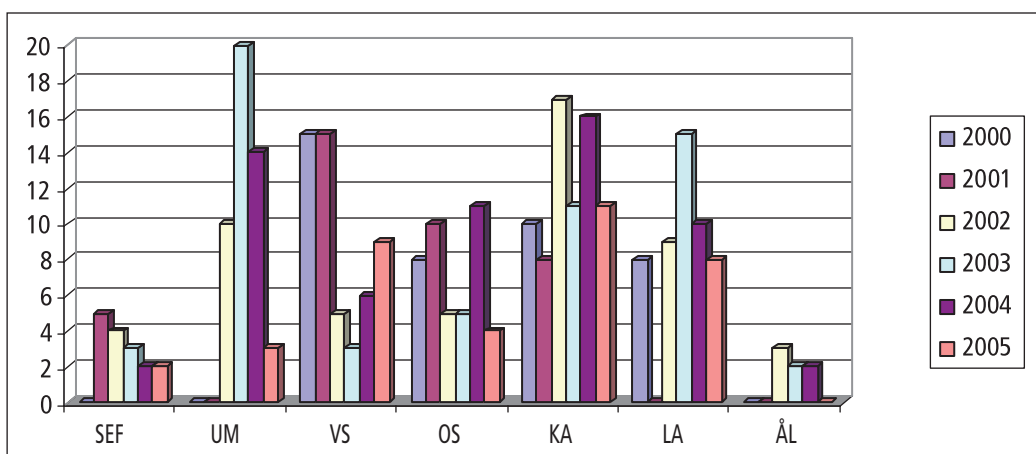


Figure 9. Inspections of first-hand buyers of fish. Territories of T&E Centres: SEF = South-East Finland, UM= Uusimaa, VS= Varsinais-Suomi, OS = Ostrobothnia, KA = Kainuu, LA = Lappi; ÅL= Province of Åland

The only producer organisation in the fisheries sector in Finland (the cooperative "Osuuskunta AKTJ") closed down in 2003. This means that the withdrawals of fish products from the market and inspections of fish quantities eligible for carry-over aid related to the common organisation of the markets in fishery and aquaculture products also stopped in 2003 (Table 23).

Table 23. Numbers of inspections of fisheries products relating to the common organisation of the EU markets.

	SEF	UM	VS	OS	KA	LA	ÅL	Total
Intervention inspections at ports								
2001	0	0	4	0	0	0	0	4
2002	0	0	4	10	0	0	0	14
2003	0	0	0	0	0	0	0	0
2004	0	0	0	0	0	0	0	0
Inspections of quantities eligible for carry-over aid								
2001	0	0	0	28	0	0	0	28
2002	0	0	1	5	0	0	0	6
2003	0	0	0	6	0	0	0	6
2004	0	0	0	0	0	0	0	0

4.3 Fisheries control by the Border Guard and other control authorities

There are no calculations available that would specify the number of days used for fisheries control by the Border Guard. In reports delivered by the Border Guard to the Ministry it has been estimated that the number of days used for fisheries control could be calculated by using the coefficient 0.05.

The police and customs have cooperated with the fisheries authorities mainly in individual control operations. In the Tornionjoki river area the police and customs perform control on a more regular basis.

Table 24. Control at sea by the Air Patrol Squadron of the Border Guard and Coast Guards in 2001 and 2003.

	2001	2003	2005
Control days at sea	2 713	3 417	..
Flight hours	yht. 1700	523	n. 1 500
Helicopters, hours		1 682	

4.4 Fisheries infringements found in the control

Table 25 shows the numbers infringements detected in connection with the control and monitoring of catches which led to a reprimand either in writing or by telephone, as well as the requests for preliminary investigation by the police.

Table 25. Infringements detected in the control and the resulting reprimands and requests for preliminary investigation.

	SEF	UM	VS	OS	KA	LA	ÅL	Total
Oral/written reprimands								
2001	20	40	418	1260	200	150	..	2088
2002	374	41	78	1218	4	..	..	1715
2003	261	24	67	1468	6	10	2	1838
2004	17	18	..	1281	123	7	..	1446
2005	255	12	..	999	136	..	..	1402
Requests for preliminary investigation								
2001	0	0	3	8	4	0	19	34
2002	0	1	2	5	0	0	0	8
2003	1	3	4	4	3	5	2	22
2004	0	0	4	4	1	4	..	13
2005	0	0	18	9	1	0	..	28

Territories of T&E Centres: SEF = South-East Finland, UM= Uusimaa, VS= Varsinais-Suomi, OS = Ostrobothnia, KA = Kainuu, LA = Lappi; ÅL= Province of Åland

4.5 Serious infringements

Council Regulation (EC) No 1447/1999 established a list of types of behaviour which seriously infringe the rules of the CFP. Serious infringements are reported annually to the Commission. Most of these took place in the territories of the Varsinais-Suo-

mi and Ostrobothnia T&E Centres. Altogether there were 62 cases of serious infringements in 2001–2005, and the processing of many of the cases that took place after 2003 is still pending. So far the charges were waived in one case from 2001. The sanctions related to the court's decisions have been 6 to 35 unit fines, amounting to 60 to 500 € (Table 26).

Table 26. Serious infringements under Council Regulation (1427/99).

	SEF	UM	VS	OS	KA	LA	ÅL	Total
Cases 2001	0	0	2	4	6	0	0	12
Penalties			2	4	5			11
Fines on average (€)			395	128	58			194
Cases 2002	0	1	1	0	0	0	0	2
Penalties		1	1					2
Fines on average (€)		420	210					315
Cases 2003	0	2	3	3	0	0	0	8
Penalties, pending?		1	2	1				4
Fines on average (€)		240	520	72				277
Cases 2004	0	0	4	8	0	0	0	12
Penalties, pending?			1	4				5
Fines of average (€)			90	132				111
Cases 2005	0	0	18	9	1	0	0	28
Penalties, several pending			3	4	1			8
Fines on average (€)			210	50	10xp			130
Cases in 2001–2005 total	0	3	28	24	7	0	0	62

Territories of T&E Centres: SEF = South-East Finland, UM= Uusimaa, VS= Varsinais-Suomi, OS = Ostrobothnia, KA = Kainuu, LA = Lappi; ÅL= Province of Åland

5 Structure of fisheries control in Finland and other EU countries

When Finland joined the EU, the control required under the CFP was constructed on the basis of the control model of the existing national fisheries legislation. In the Act on the Implementation of the CFP, the control and inspection tasks were delegated to the six Rural Business Districts subject to the Ministry of Agriculture and Forestry which were located on the coast. Later on the tasks were transferred to the T&E Centres. At first there was one official at the Department of Fisheries and Game of the Ministry who was responsible for fisheries control, but since the end of the 1990s this responsibility has been shared by two officials. The staff of the Fisheries Units of the T&E Centres was reinforced towards the end of the 1990s and new control equipment (vessels and vehicles) was acquired, partly by means of Community support. The main cooperation partners in the control are the Border Guard and its Coast Guards. In particular, the Coast Guards provide equipment and transportation services for the T&E Centres and the stations can be used as the base and for accommodating the control staff.

The fisheries control has been organised in various ways in the EU Member States. A similar decentralised model as in Finland is being applied in Belgium, Spain and Germany. In Denmark, France, Ireland, the UK, Portugal and the Baltic States the organisation of the control is based on a fisheries authority that functions as an independent central agency and possible local organisation subject to it. In Sweden and in Greece the control tasks are concentrated to the Coast Guard. In Italy the control is managed by a "military organisation, while in the Netherlands the producer organisations of fishers participate in the control by carrying out own checks of their members, which supplements the official control by the authorities.

Of the EU Member States around the Baltic Sea, in Sweden the Swedish Board of Fisheries (Fiskeriverket) functions as the central authority responsible for fisheries control, including the registration relating to the control, granting of licences, and declarations of catches and fish purchases. The Board of Fisheries has a Control Department with a staff of 25 which carries out only fisheries control tasks. The annual costs of the control tasks at the Board of Fisheries total about 2.1 mill. €.

The Coast Guard under the Swedish Ministry of Defence (Kustbevakningen) manages the "physical" control of fisheries, i.e. inspections of fishing vessels and landings and control of the compliance with the market standards for fisheries products. The Swedish Coast Guard is divided into four territories and it has both aircraft and control vessels at its disposal. The total staff is about 550. The Coast Guard estimates that about 25 % of its expenses are used for fisheries control, which thus amounts to about 13 mill. € per year. Thus the annual fisheries control costs of all these Swedish authorities total about 15 mill. €.

In Denmark the administration of fisheries control consists of the Directorate of Fisheries (Fiskeridirektoratet) outside the Ministry and three inspectorates, 12 local departments or units and four inspection vessels subject to this. Like in Sweden, the collection of control information has been concentrated to the central authority, which is responsible for all control with its own control vessels. The Directorate and the local units and employ 330 persons. The annual expenses of the central authority (80 persons), local units and control vessels are about 23 mill. €. The fisheries control vessels are also equipped for emergency services and control of environmental damages. In Denmark no aircraft is used in fisheries control.

In Estonia the fisheries control tasks are managed by the Ministry of the Environment. The organisation of the control in Estonia and the other Baltic states is founded on the centralised model, i.e. a single authority. The development of the control systems after the accession to the EU is still under way.

6 Assessment of fisheries control in Finland

6.1 EU-Commission assessment of the control

The organisation of fisheries control is the competence of the Member States, which means that it is impossible to present any correct control system or intensity of control and inspections. The Community and especially the Commission have made serious efforts to harmonise the control, but so far the achievements have not been too good, also according to Commission's own reviews and reports. The Commission seems to prefer the strongly centralised fisheries control model with a single authority. One good example of this often referred to is the organisation of the control in Denmark.

The conclusions of the most recent report concerning fisheries control in the Member States of 4 January 2005 present the following views on fisheries control in Finland:

- Ministry of Agriculture and Forestry has not prepared and implemented comprehensive national control strategy
- Åland has an autonomous role in the control and the Ministry has little influence on this
- no information on control intensity in Åland is available because the reports of Åland are deficient
- there are shortcomings in the day-to-day management of the control due to lack of resources
- lack of resources at T&E Centres, number of inspectors has been increased but there are pressures to carry out other tasks of the Centres
- cooperation between the T&E Centres and Ministry is opportunistic
- control intensity of T&E Centres is moderate and control methods vary
- field control only at ports, shortcomings in this
- control at sea the responsibility of the Coast Guards, shortcomings in the inspections of vessels, logbooks, gear and composition of catches
- shortcomings in the training of Coast Guards in fisheries control tasks
- considering the large numbers of private waters, unregulated fishing likely
- control of private waters insufficient, salmon fishing and even trawling partly unregulated, because fishing in private waters not subject to licences
- exchange programmes for inspectors in the Baltic Sea (Denmark, Estonia and Sweden) a positive trend
- implementation of the new rules for the gear used in cod fishing (Bacoma) insufficient, transmitting the information to the owners of vessels is not enough

- Commission is not convinced that the level of verification of landing declarations is satisfactory
- Commission is not convinced of appropriate reporting of pelagic species, sampling system may have become institutionalised
- fisher and first-hand buyer often operate together so that cross-checking the declarations is not possible
- establishing the length of small vessels should not depend on fishers' declarations
- relating to the common organisation of the markets, the authority does not require that the sector operates in accordance with Community market standards (size and freshness classes)
- reporting and monitoring of fishing offences by the control authority insufficient
- very few fishing infringements and offences brought to court because of the complex preliminary investigation and prosecution processes locally
- penalties for fisheries infringements the most lenient in the coastal EU member states
- very few serious fisheries infringements according to the CFP and penalties for these

For the part of Sweden the Commission states that there are still challenges in the coordination of the control tasks and development of a strategic approach, but that Sweden has developed and organised the activity into a better direction. The Commission notes that in the Swedish Coast Guard the management of the other control tasks occasionally interferes with fisheries control. Like in Finland, the Swedish legal system is criticised for insufficient processing of fisheries infringements and lenient penalties.

6.2 Assessment of strategic management and resources of the control in light of EU-Commission comments

Action due to Commission criticism regarding deficient organisation and legislation (e.g. the judicial system and processing of fisheries infringements) would call for political decisions and amendments to the law. Finnish fisheries authority cannot require changes in another authority (Border Guard, judicial system). Cooperation can always be developed. It is not possible for the Ministry to interfere with the competence of Åland to control its own fisheries, which is founded on the autonomous position of the Province of Åland.

It is difficult to assess the Commission comments concerning the statutory problems in the control, organisational or strategic problems in the fisheries authority because the Commission does not provide any further grounds for these. According to the Commission, lack of strategic management leads to variation in control practices in the local units. The selection of the control priorities and standardisation of the control methods

has largely been delegated to the independent decision-making at the T&E Centres. The Commission criticises that the official and written control instructions and interpretations are missing. The performance of tasks delegated to the T&E Centres gives room for various interpretations of the statutes. However, in recent years the Ministry has directed more attention to performance guidance and preparation of a control strategy.

The Commission Communication shows that in the other marine EU Member States the management and central organisations for fisheries control as well as the resources available on the field are larger than in Finland. On the other hand, when comparing the control resources it should be noted that in Finland commercial fishery is seasonal and very small in scale. Control systems should also be considered in terms of cost efficiency. In Finland the fisheries control costs are very low, about 2 mill. €/year), which is only about a tenth of the costs in Sweden and Denmark.

6.3 Assessment of fisheries control by T&E Centres and Åland in light of Commission comments

The Commission criticises the low intensity of control and inspections, shortcomings in the training and small numbers of fisheries infringements and serious infringements found in Finland. The Commission claims that in Finland the intensity of fisheries control is among the lowest within the EU. In particular, the Commission considers that the inspections of fishing vessels and inspections at sea, as well as inspections of fishing ports and control of the compliance with market standards are not efficient enough.

The sufficiency of the staff used for control at the T&E Centres can be assessed relative to the fish flows, number of vessels, catches, fishing ports and surface area covered. Based on the follow-up information from the control in the past few years (Tables 12–26) we can say that, as a whole, the control performance of the T&E Centres in 2000–2005 was at least reasonable, considering the resources allocated for the control and seasonal nature of the activity in, for example, salmon fishing. In some cases the hours of labour of the control staff and inspectors are deliberately transferred to the other tasks of the Fisheries Units. The reduction in inspections and field work cannot be attributed to the lack of control equipment, because the level of equipment has improved over the years. Today the T&E Centres have a sufficient number of vehicles, vessels and other equipment at their disposal, and in most cases they can get executive assistance, both equipment and staff, from the Coast Guards.

The control intensity and number of inspections show a decreasing trend also because of the reduction in the fishing activity in the Gulf of Finland, while in the ports of the Bothnian Sea the

trend is the opposite in light of the fishing statistics and control intensity. In the territory of certain T&E Centres and the Province of Åland the level of control performance seems low and practically no fishing infringements are being found simply because of lack of commercial fisheries activities.

The Commission's observations regarding the small number of infringements and serious offences violating the rules of the CFP might be correct. It is true that the penalties for these have also been quite lenient in comparison between other marine EU Member States. These small numbers can be partly due to the judicial system in Finland, where the fisheries authority has no right to issue administrative sanctions ("on-the-spot fines"). According to Article 31 of Council Regulation 2847/1993, the sanctions must be capable of producing results proportionate to the seriousness of the infringements and effectively discourage further offences of the same kind. In Finland cases where the infringement must be considered a minor one very likely lead to the waiving of charges. This is reflected in the activity of the T&E Centres as relatively high numbers of written reprimands (see Table 26).

Comparison between different EU Member States is difficult due to the different kinds of judicial and sanction systems and structures in the fisheries sector. The unit fine system applied in Finland leads to more lenient penalties.

6.4 Strengths and weaknesses in the control and proposals for improving the situation

6.4.1 Strengths

- * *In view of the relatively small staff resources and financial inputs the control performance achieved is quite good. The annual cost of fisheries control by the fisheries authority and Coast Guards of about 2 mill. € is very low. At the Ministry the fisheries control tasks are managed by small staff resources at the Unit for Fisheries Industry (2.5 annual work units, AWU), besides other duties. The real staff resource for control and inspection tasks at the T&E Centres is also small (14 persons, 9 AWU).*
- * *The Border Guard and Coast Guards have abundant staff resources and modern equipment, including aircraft, which are very well suited for fisheries control as well.*
- * *The control authority has sufficient competence, and this has also not been questioned. The competences have not led to any conflicts e.g. in preliminary investigation or the judicial processes following from this.*
- * *The central register for fisheries industry (KAKE) works well.*

6.4.2 Problems or shortcomings which have been set out and proposals to improve the situation

- * *Decentralised organisation of fisheries control, where responsibility for control delegated in full to the T&E Centres.*
- * *Lack of resources in steering the control and in field control and insufficient training.*
- Broad field of tasks in fisheries control (international and domestic control cooperation, coordination of T&E Centres, judicial advice, development of information systems) might require an increase and targeting of the resources
- Fisheries control staff (14 persons) in T&E Centres should mainly be used for fisheries control tasks. Provincial Government of Åland should allow sufficient resources for fisheries control and inspections.
- Cooperation between T&E Centres should be developed to increase joint control and standardise control actions.
- Clear performance objectives should be established based on the Control Strategy.
- Strategy and objectives should be updated annually by regional key areas and action plans.
- Training and seminars should be increased between the Ministry and T&E Centres to improve the performance and consistency of the control.
- * *Distances are long and coastal archipelago is structurally fragmented, with hundreds of ports and landing sites.*
- Control should be targeted to risk areas. Use of risk analysis based on fish flows (vessels, landings, purchases) and earlier susceptibility to offences should be increased.
- Landings and control should be concentrated to designated ports, where weighing systems are used.
- Sampling of catches, weighting and VMS should be utilised more efficiently.
- * *Fisheries control is a secondary task for the Border Guard and Coast Guard stations. Staff turnover is rapid, which means that knowledge on fisheries legislation may be insufficient.*
- Increased cooperation between the Ministry and Border Guard and T&E Centres and Coast Guards.
- More training and written instructions of fisheries legislation for inspectors.
- * *Control actions at sea depend on the availability of Coast Guards' equipment and staff and cooperation possibilities.*
- Field control should be planned in advance in cooperation with the Coast Guards.
- Study possibilities for more flexible use of resources and equipment in control actions should be examined.
- * *Judicial system which does not apply administrative sanctions ("on-the-spot fines"). Fishing offences often lead only to reprimand. Even minor offences must be handed over to the police and public prosecutor, and the charges are easily waived. Penalties and fines issued for fishing offences are very lenient.*

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