

Monitoring and control of fishery products at sea, landing and sales places in Turkey and its conformity to the European Union common fisheries policy

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Monitoring and control tools were compared in Turkey and the European Union (EU). The fishing logbook, the origin, the transport, the distribution and sales documents were found to be almost compatible with the EU. It was determined that there were declarations of transfer and landing in the EU. However, they were not available in Turkey. The logbook was mandatory for fishing vessels of 12 meters' length and more in Turkey. Whereas, the logbook was compulsory for fishing vessels of 10 meters' length and more in the EU. The Vessel Monitoring System (VMS) was essential for catching vessels in Turkey. But, it was also obligatory to have for the auxiliary vessels together with catching vessels in the EU. It was found that when it was caught undersized fishery products and the endangered species in Turkey, the products were offered for sales. However, the endangered species could not be traded by buyers.

[Key words: Audit, Control, Fishery products, Inspection, Monitoring]

Introduction

The monitoring and control of fishery products at sea, landing and sales places is crucial in the fight against illegal, unreported and unregulated (IUU) fishing for protection of fisheries stocks and the sustainable use of resources.

The monitoring and control of fishery products at the sea, landing and sales places within the scope of the national scope is done within the scope of the fishery products law no 1380, the fishery products regulation, regulation of the fishery products wholesale and retail places, communiqué (C) no 4/1, communiqué (C) no 4/2, communiqué (C) no 2016/18 and automatic identification system (AIS) Communiqué (C). In the international context, agreement on port state measures to prevent, deter and eliminate IUU fishing was ratified on 02.11.2018 by Turkey¹. However, there were several international regional fisheries organizations of which Turkey was a member of. The international commission for the conservation of Atlantic tuna (ICCAT) was one of them².

Illegal fishing is the fishing activity of the member states (MS) or of the countries cooperating with the organization for the protection and management measures brought by national and foreign flagged vessels and regional fisheries fishing organizations in the territories of a State contrary to national legal

regulations¹. Unregistered fisheries are unreported fishing activities, contrary to national legislation, reporting in infringement of the national authority and regional fisheries management organization/reporting procedures¹.

AIS was established for monitoring during the period until the first sales from catching of fishery products in Turkey and all fishing vessels were registered in the system³. Fishing licences, permit documents, transport document, the distribution and sales document, origin document are made through this system.

As of 2017, the vessel monitoring system (VMS) was obligatory for catching vessels of 12 metres' length and more in Turkey⁴.

There were 28 coastal provinces in Turkey⁵. There were 356 fishing shelters in 28 coastal provinces. 44 fishery port offices were established at 44 landings in 25 of these provinces⁶. In places where there were no fishing shelters, any port or small pier could be used as a landing place⁷. The landing places according to the kind of fishery products or fishing areas were determined by legal regulations⁸.

The fishery products caught at sea are landed and sold at wholesale places and retail places. The wholesale places include fishery products auction places and fishery products wholesale centers⁹. There were 13 fishery products auction places and fishery

products wholesale centers in the 11 provinces of Turkey⁶. Where such as shops for fish sales, shopping centers and neighborhood markets are retail sales places⁹.

Turkey's fishery production in 2016 with 301.464 tonnes of fishing way of the sea, the total production was 588.715 tons. 145.469 tons of total production was exported. Per capita consumption of fishery products was 5.4 kg. The income obtained through fishing was TL 1,340,878,317 for 335,320 tons of production and the total revenue of the aquatic products was TL 4,580,199,297 in 2016. Meanwhile, Turkey's total export revenue was \$ 854731829 for 156 681 tonnes. The number of vessels at sea by size group in Turkey was 9258, 3.139, 749, 517, 288, 461, 265, 7 units for 0-4.9, 5-7.9, 8-9.9, 10-11.9, 12-14.5, 15-19.9, 20-29.9, 30-49.9, 722, 50+ meters, respectively. A total of 15,406 ships were operated in the sea. A total of 18.024 vessels constituted Turkey's fishing fleet in the sea and inland waters¹⁰.

There are two studies on the landing places^{11,12}. The purpose of this study is to evaluate principles of monitoring and control of fishery products at sea, landing and sales places in combating IUU fishing at the national level, to assess the compliance with the EU legislation and to determine what to do to raise awareness of all stakeholders.

Materials and Methods

Institutions with supervisory authority

The ministry of agriculture and forestry (MAF) is the main body responsible for the control and supervision of fishery products. Inspections at the sea are mainly carried out by the Coast Guard Command (CGC) in the fight against IUU fishing. In addition, the Police and Gendarmerie organizations also conduct controls¹³. The CGC mainly realizes controls through the ship/boat and aircraft/helicopters stationed at the CGC's 66 ports/base in Turkey's 8484 km long coast¹⁴. The CGC and MAF carry out planned and unplanned inspections from time to time. Both the CGC and the MAF practice joint inspections with the Police and Gendarmerie organizations according to the area of responsibility. The landing and sales places are inspected by the MAF and municipal authorities¹³. The MAF conducted simultaneous and cross-checking with mobile supervisory teams¹⁵.

The inspectors set a case report, seizure fishery products subject to infringement and dispatch to judicial authorities due to the Law number 1380¹³.

In 2016, total of 94537 inspections of fishery products carried out by MAF consisted of the following information: 36487 inspections at sea and inland water, 8132 inspections in the landing places, 1393 inspections in the transportation vehicles, 1397 inspections in the fishing vessels, 2637 inspections in the auction places, 39465 inspections in the retail sales places, 3788 inspections in other control places. As a result of the inspections, a total of 6227 infringements were determined. These infringements consisted of the following information: 868 infringements against amateur fishing regulations, 626 infringements in catching prohibited species, 1010 infringements in using prohibited fishing gears, 408 infringements of the size ban, 512 time ban infringements, 1714 catch areas infringements, 890 infringements in document regulations, 56 infringements from unlicensed fishing (vessels) 53 infringements from catching with explosives, 35 infringements from unlicensed fishing (person), 29 infringements from making changes in the production route, 22 infringements from foreigners having fishing activities in our territorial waters, 4 infringements from not having a VMS device. As a result of these infringements, TL 10.104.254 administrative fine was applied. The licenses of a total of 58 fishing vessels, of which 14 are involved in illegal fishing activities and 44 which do not have visas in the time specified in the law, had been revoked¹⁵.

According to the CGC, 2.633, 2.207 and 2.692 vessels/persons were identified in the years 2015, 2016 and 2017, respectively. The administrative fines of 4.603.630, 4.555.555 and 5.631.793 TL, respectively were applied¹⁶.

Monitoring and control of fishery products at sea, landing and sales places

All fishing vessels at sea to be found in commercial fishing activities must take fishing licenses in Turkey¹³. License for fishing vessels contains of name, activity type, register number and fleet registration number of the vessel, the port where it is registered, total length, log size, tonnage, log width, log depth, construction material, year of construction and date of issue of the vessel, where the license is taken, last validity of the licence, the name of vesselowner, citizenship number, contact address, primary fishing gear, secondary fishing gear, engine brand and power, the date of receipt of the license¹⁷. In European Union (EU), it is necessary to obtain

fishing license for fishing vessels to be used for commercial fishing¹⁸. Fishing license includes the following information: union fleet registration number, the name of the vessel, the flag state/registration country, the port where it is registered (name and national code), the external sign, the international radio call code, the name and address of real person or legal entity with permission, motor power and tonnage, total length, main fishing gear, auxiliary fishing gear information¹⁹.

In Turkey, according to the catching species or fishing gears to be used, catching permit document may be required to be taken⁸. In the EU, it is necessary to obtain catching permit for certain catching activities¹⁸.

VMS that provides monitoring through GSM and satellite communications is obligatory to catching vessels which are 12 metres' length and more in Turkey^{17,20}. The AIS must be available on the fishing vessels of 15 metres' length and more²¹. The identity, location, time, speed and direction of the fishing vessels are monitored by these devices. In the EU, The AIS is compulsory to fishing vessels of 15 metres' length and more and the VMS is compulsory to catching vessels and auxiliary vessels of 12 metres' length and more. A MS may exempt community fishing vessels of less than 15 metres' length overall flying its flag from the requirement to be fitted with a vessel monitoring system if they never spend more than 24 hours at sea from the time of departure to the return to port¹⁸.

The owner of the fishing vessels of 12 metres' length and more must keep the fishing logbook for the fishery records and the quantities of each species to be landed or transhipped and send to the MAF⁸. The logbook contains the following information: the name of the vessel, the radio call signal of the vessel, the register and fleet registration numbers of the vessel, name and address of the master, the date, time and port of departure and return, the date, time and port of landing, fishing gears, the net mesh size, the dimension of the fishing gear, the date of the transhipment, the name, register and fleet registration numbers of the receiving vessel, the date of fishing operation, the number of fishing trip, total time of fishing, the area of national fishing, the fishing area of another country, the presentation and quantities of caught products, the kilogram weight in the landing declaration, and the estimated amount of discarded fish. The paper logbook is three copies.

The zeroth copy remains on the fishing vessel. The first copy accompanies the catching product. The second copy is sent to the MAF. In addition, the VMS enables collection of fishery products data in a digital environment. In case of malfunction of the electronic logbook, the fishing trip and the quantities of each species should be recorded daily in the paper logbook and dispatched to the MAF by entering the electronic logbook within 48 hours after the malfunction is remedied⁴. In the EU, fishery records are made in electronic or paper logbooks. The logbook contains the following information: radio call code of the vessel, the external identification and fleet registration numbers, FAO alfa-3 product code, name and address of vessel master, dates of the departure from port and the return to port, the duration of fishing, the amount of the transshipping products, fishing gears, the net mesh size, the dimension of fishing gear, the date and area of fishing operations, the number of fishing trip, the quantities of each species in kilograms live weight or, where appropriate, and the number of individuals. The masters of the vessels of 10 meters' total length or more are obliged to keep a fishing logbook for their activities. In particular, they should be recorded in the logbook by indicating the amount of all species on the 50 kilograms live equivalent weight they have caught and retained on the deck. For fishing vessels of 12 meters' total length or more, the logbook must be in electronic form and sent within 48 hours. When a EU fishing vessel has made a landing in a port or a transhipment in a port or in a place close to the shore of its flag MS, its master shall submit the logbook after completion of transhipment or landing to the competent authorities of the MS concerned. When a EU fishing vessel has made a transhipment in a port or in a place close to the shore or a landing in a port of a MS other than its flag MS, it shall submit the first copy (copies) of the logbook after transhipment or landing to the competent authorities of the MS in which the transhipment or landing takes place. The original(s) of the logbook shall be dispatched after transhipment or landing to the authorities of the flag MS. When a EU fishing vessel has made a transhipment in a port or in the waters of a third country or on the high seas or a landing in a port of a third country, it shall dispatch the original(s) of the logbook after the transhipment or landing to the authorities of the flag MS. When a third country or the rules of a Regional

Fisheries Management Organisation require a different kind of fishing logbook the master of the EU fishing vessel shall submit a copy of that document to his competent authorities after transshipment or landing^{18,22}.

In Turkey, 17-07 scope of the ICCAT recommendation, transshipment declaration is taken only for bluefin tuna fishing. The transshipment declaration mainly contains the following information: fishing and tug vessel name, external identification, call sign, ICCAT register number, flag state transfer authorisation number, fishing logbook number, name of destination farm, cage number, transfer information, and further transfer²³. In the EU, there are transshipment and landing declarations. The transshipment declaration contains at least the following information: the external identification number, the name of both the transshipping and the receiving fishing vessels, the FAO alpha-3 code of each species, the relevant geographical area in which the catches were taken, the amount of the product (kilogram, number, etc.), product type, the port of destination of the receiving fishing vessel; the designated port of transshipment. The landing declaration contains at least the following information: the external identification number, the name of the fishing vessel, the FAO alpha-3 code of each species, the relevant geographical area in which the catches were taken, the amount of the product (kilogram, number, etc.), product type, the port of landing¹⁸.

In Turkey, the data records of fishing vessels of less than 12 meters' length is determined according to the survey conducted by Turkey Statistics Authority. If need be, the MAF can also be an obligation to keep a fishing logbook for fishing vessels less than 12 meters' length in Turkey⁸. For example; it is necessary to keep the logbook regardless of the length of the fishing vessels as the white sand mussels have a fishing quota⁸. In the EU, if quantities of less than 30 kg per single species is caught, the records of the caught products are done by the producer organization to which the fishing vessel is bound⁶. Fishing vessels of less than 10 meters' total length hold a paper logbook if the flag states which they are connected request¹⁸.

In Turkey, the fishery products are carried by the transport document to the first sales place, the fishery products wholesales center, the fishery products auction places, the cold air store and the processing plant. It is also necessary to have a transport

document when carrying live ones. The transport document is not required for fishery products of less than 50 kilograms' weight. Origin document received from the authority in the fishing area is mandatory to be transported to prohibited places of the caught fishery products from non-restricted places and times. It is imperative that the origin document be shown when requested. The origin document replaces the transport document. The transfer document and the origin document contains the following information: the name of the fishing vessel, register number, fishing logbook number, fishing gears, the date of fishing operation, the name of fishing area, the place of landing, the amount of the product (kilogram, number, etc.), the address and time of transport, the name of the transporter, the citizenship number, the contact number, the genre of the transport vehicle, and the license plate. A product with a origin document is distributed to more than ones places with the distribution/sales document. The distribution/sales document contains the following information: the name of the fishing vessel, register number, the number of fishery products origin document, the date on which the certificate of origin was issued, the provincial/district directorate in which the document is taken, the type and amount of product, the open address and contact phone number of places to be distributed/sold. The period of validity of the transport documents is 24 hours starting from the transfer time indicated on the document⁸. In the EU, sales notes, take-over declaration and transport document are arranged to include the following information: the name of the master or operator, the the external identification number, the name of the fishing vessel, the place and date of loading, the name of the buyer and seller, VAT number, the FAO alfa-3 code of each species, the date of fishing, fishing areas, the amount of the product (kilogram, number, etc.), product type, the date and place of sales, the place of destination of the consignment, the identification of the transport vehicle, the external identification number and name of the fishing vessel that has landed the products, the name(s) and address(es) of the consignee(s) etc. Buyers and sellers whose annual financial turnover in first sales of fisheries products of EUR 200 000 or more must be delivered the sales notes electronically within 24 hours of the initial sales. Those who have annual financial turnover less than EUR 200,000 should submit their sales notes in writing within 48 hours. The fishing vessel of less

than 10 meters' length or the fishery products of less than 50 kg are exempted from the sales document¹⁸.

Legal sanctions

The origin and transfer documents are not issued for caught products in contravention of the obligations, prohibitions and restrictions in Turkey^{8,17}. If there is no fishing license, the administrative fine is imposed and the caught products are confiscated. In case of infringement again with unlicensed vessels, fishing gears other than the vessels are seized¹³. The administrative fine is applied if there are no the catching permit document, the fishing logbook, the transport document, the sales document and the origin document and these documents don't include accurate information. Furthermore, the fine is imposed if the caught products are not landed to the places specified in the law. The products are seizure. The fishing licenses are then suspended or permanently withdrawn¹³. If the products are live, they are returned to the fishing area. The non-live products are sold at auction and the proceeds of the sales are transferred to the treasure as income. If the products cannot be sold, donation is made to social aid organizations. If the products cannot be made the donation and they are not suitable for human consumption, the extermination is carried out¹³. The catching, the gathering, the retaining on board, the landing, the transporting and the selling of the endangered species are prohibited^{8,24}. The legal regulation is also the same for the undersized fishery products which are specified in the 17th article of C number 4/1 and in the 16th article of Communiqué number 4/2. The fines are applied in the catching of the undersized fishery products or the endangered species. Then the more than the permitted catching amount or the endangered species are seized. The fishing licenses are then suspended or permanently withdrawn¹³. In case of sales, transporter and use in manufacturing of the undersized fishery products or the endangered species, the fines are applied and the products are seized¹³. If the products are live, they are returned to the fishing area. The non-live products are sold at auction and the proceeds of the sales are transferred to the treasure as income. If the products cannot be sold, donation is made to social aid organizations. If the products cannot be made the donation and they are not suitable for human consumption, the extermination is carried out¹³. However, the endangered species cannot be sold and used for commercial purposes by purchasers¹⁷. On the other

hand, in the EU, undersized fishery products cannot be landed in the event of more than the permitted amount^{18,25}. These products are forbidden to keep on the deck, to transport, to land, to stock, to sell, to exhibit for sales or offer for sales. They should be returned to the fishing area immediately^{19,25,26}. In the EU, a point system based on the appropriate number of points is awarded to the fishery license holder for serious infringements^{18,27}. When a natural person has committed or a legal person is held liable for a serious infringement, the appropriate number of points shall be assigned to the holder of the fishing licence. The points assigned shall be transferred to any future holder of the licence for the fishing vessel concerned where the vessel is sold, transferred or otherwise changes ownership after the date of the infringement. When the total number of points equals or exceeds a specified number of points, the licence shall be automatically suspended for a period of at least two months. That period shall be four months if the licence is suspended a second time, eight months if the licence is suspended a third time and one year if the licence is suspended a fourth time as a consequence of a licence holder being assigned the specified number of points. In case of the holder being assigned the specified number of points for a fifth time, the licence shall be permanently withdrawn. If the holder of a licence does not commit, within three years from the date of the last serious infringement, another serious infringement, all points on the licence shall be deleted¹⁸.

Discussion

In this study, monitoring and control tools were compared in Turkey and the EU. The fishing logbook, the origin document, the transport document, the distribution and sales document were found to be almost compatible with the EU. In addition, it was determined that it was necessary to take a fishing document for exports of fishery products to the EU. This was made possible by the fact that the origin document, the transfer document, the sales document and the data in the fishing logbook are consistent. Whether or not the information is consistent, it can be checked through the Animal Information System²⁸.

It was determined that unlike the EU, international radio call code was no in the license of fishing vessels in Turkey. There were declarations of transfer and landing in the EU union. In Turkey, also, the transfer and landing declarations were not available. In

addition, the information of these declarations was found in the fishing logbook in Turkey. The logbook was mandatory for fishing vessels of 12 meters' length and more in Turkey. Whereas, the logbook was compulsory for fishing vessels of 10 meters' length and more in the EU. The VMS was essential for catching vessels in Turkey. However, it was also obligatory to have for the auxiliary vessels together with catching in the EU.

In this study, it was found that when it was caught undersized fishery products and the endangered species in Turkey, the products were seizure. The live products were returned to the fishing area. The non-live products were sold at auction. If the products could not be sold, donation was made to social aid organizations. If the products could not be made the donation and they were not suitable for human consumption, the extermination was carried out. However, the endangered species could not be traded by buyers. Additionally, it was determined that the draft law for updating fishery products law had been prepared by the MAF in Turkey. The following aspects were set out in this draft: Endangered species could not be traded in any way. The live products were returned to the fishing area. If the non-live products were suitable for human consumption, the products were donated to social aid institutions. The products were destroyed if the non-live products were not suitable for human consumption. The following arrangements had been made for undersized fishery products²⁹. It had been welcomed to make a draft arrangement on the non-sales of these species.

It was determined that when bluefin tuna were fished more than catch quota in Turkey in the scope of ICCAT, if living, they were released to the fishing area, the non-lives were seized and donation was made to the social aid institutions without being subject to the commercial^{8,20,23}. In the EU, undersized fishery products cannot be loaded the landing places. They are returned to the fishing area, whether they are alive or not.

Conclusion

The VMS should be made compulsory for the auxiliary vessels. The live endangered, the live and non-live undersized products at sea should be returned to the fishing area. If the non-live endangered products and the non-live undersized products found at the places of sales are suitable for human consumption, they should be donated. Both products should not be traded. Those who cannot be donated

and are not suitable for human consumption must be destroyed. It is believed and recommended that the legislation of the draft law as soon as possible, including these regulations, is important in the fight against IUU fishing.

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