

Strasbourg, 18 August 2017
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T-PVS/Files (2017) 6

CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

37th meeting
Strasbourg, 5-8 December 2017

Complaints on stand-by

**Presumed large-scale exploitation and
marketing of protected marine shelled molluscs
in Greece**

- REPORT BY THE GOVERNMENT -

*Document prepared by
the Ministry of Rural Development and Food, Greece*

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- ADDITIONAL DATA UPDATED 2 AUGUST 2017 -



by E – MAIL ONLY

URGENT

**HELLENIC REPUBLIC
MINISTRY of ENVIRONMENT & ENERGY
DIRECTIRATE GENERAL OF ENVIRONMENT POLICY**

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Our ref : 4788/1048

Athens, 2.8.2017

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Subject : Response to the letter of the Berne Convention Secretariat in relation to the Complaint 2014/8

Related doc : 1. Your letter of 11.4.2017 : Complaint No 2014/8 : Presumed large-scale exploitation and marketing of protected marine shelled molluscs in Greece
2. doc no 6734/ΑΣ/762/21-07-2017 of the Permanent Representation of Greece to CoEurope, with the attached letter from 21-07-2017 of the complainant.
3. doc. No 2421/5842 of Gen. Secret. of Sust. Fisheries, with att. Doc. No 2259/36357/29.3.2017 with relevant information photographic material, (our. Doc. 14788/1048/2.8.2017).

In response to your letter of 11.4.2017, and taking into account above related (3) doc. communication and document with the General Secretary of Sustainable Fisheries we would like to inform you the following :

After the submission of relevant documents (c), the Directorate-General for Sustainable Fisheries have undertaken the following actions, with a view to broadly inform professionals and consumers:

With doc. No 2259/36357/29-3-2017 the Directorate-General for Sustainable Fisheries informed/reminded all competent services and stakeholders, for the existing prohibition of fishing and exploiting of *L. lithophaga*, *Pholas dactylus* and *Pinna nobilis*. An informative photographic material was attached. This material, has also uploaded to the official website (<http://www.alieia.minagric.gr/node/230>), with open access

From 26-4-2017 to 2-5-2017, by registered letters, the above document, together with the photographic material, was forwarded to 51 restaurants, included in the list of taverns, restaurants, etc of Mr S. Katsanevaki's letter of 25/02/2016 sent to the Secretariat of Council of Europe for the Bern Convention.

From the communication made during the above process, some of the restaurants mentioned in this list did not respond. Secondly, for those which did not receive the registered letters, the above procedure was repeated on 25/5/2017, by regular mail. All relevant data are kept in the Directorate-General for Sustainable Fisheries and they are available.

At this point it should be noted that the Directorate-General for Sustainable Fisheries informed complainant's letter of 25/02/2016 incidentally (23-2-2017) and not by an official notification. Consequently, his claim that the list contained therein was ignored by the Directorate-General for Sustainable Fisheries Administration is unfounded.

By relevant documents, instructions were given to the Fisheries Control Agency of the Ministry of Shipping and Insular Policy to intensify Port Authorities' inspections in areas within their jurisdiction (within port areas) with particular emphasis on regions where illegal fishing and marketing has been observed (No 45/14499 / 17-02-2017, 2259/36357 / 29-3-2017)

In addition, with doc 2259/36357 / 29-3-2017, notified to all competent authorities and agencies, as aforementioned, instructions were given, for the general information of all (professional and amateur fishers, consumers, shopkeepers, etc.) and, at the same time, telephone numbers of the Directorate for Fisheries Control and Fishery Products provided, for direct communication and information, by anyone, either a service agent or a simple citizen, once he / she becomes aware of illegal activities related to these protected species.

No complaint has been recorded until now.

With doc. 4082/66181 / 19-06-2017 to the Fisheries Control Agency of the Ministry of Shipping and Insular Policy, the Directorate General for Sustainable Fisheries requested data for sanctions imposed for the year 2017 and, once again, the intensification of the Port Authorities' inspections in the areas of their competence.

The above mentioned Authority, submitted by doc. 2141.1-10 / 50521 / 7-7-2017 related data for the period from 1-1-2017 to 26-6-2017 [five (5) in total offenses for fishing of *Lithophaga lithophaga*, in the areas of: Chalkida (1 -professional), Itea (3-recreational) Preveza (1-recreational)].

Please note that the Port Authorities are empowered to carry out controls and inspections in fish markets and restaurants located within port areas.

By receiving Mr Katsanevaki's letter of 21/07/2017, where there is clearly a suspicion of negligence on the part of the competent authorities, the Directorate General for Sustainable Fisheries requested the Fisheries Control Agency of the Ministry of Shipping and Insular Policy (doc 4875/81807/27/07/2017) detailed information on the number of inspections that have been carried out since the beginning of the year by the competent Port Authorities.

The above letter (Mr Katsanevaki's letter of 21/07/2017) was also forwarded to them, as includes maps where demonstrated presumed illegal fishing and marketing of *Lithophaga lithophaga*.

For the years 2014, 2015 and 2016), the following statistics for controls, inspections and fines are available (from the official website of the Fisheries Control Agency of the Ministry of Shipping and Insular Policy <http://www.hcg.gr/alieia>, <http://www.hcg.gr/alieia/statistika/statistika.php>) :

	2014	2015	2016
Controls			
Auction halls	1128	860	2874
Landing points:	11204	8493	1571
Inspections			
Professional fishing vessels	16514	14644	9601
Recreational fishing vessels	10111	8012	7087
Other inspections	1330	1231	422
Total number of infringement decisions	1695	1305	1.325
Fines	1,266,315.00 €	974,857.00€	952,456.68 €
Protected Bivalvia (L. Lithophaga, P. nobilis)			
Total number of infringement decisions	11	14	10
Fines	5,100.00 €	6,700.00 €	6,400.00 €

From all the above, it is obvious that the complainant's allegation of inadequate controls is incorrect. Controls are carried out, but cases involving infringements for these species are limited, both in number and in areas where they are observed. In no case the phenomenon has the extent that the complainant presents.

Additional controls are planned and will be carried out by the Directorate General for Sustainable Fisheries Authority in restaurants, fish markets and outlets. In addition, cooperation with other authorities that carry out controls for other purposes, for their assistance in retail fishmarkets, supermarkets and outlets, is launched.

Apart from the precedent, the Directorate General for Sustainable Fisheries plans to take additional actions to ensure the protection of these species, including, for example, uploads on social media, for both, information and complaints, distribution of leaflets to markets and restaurants, research for the efficiency of the operations etc.

The Directorate General for Sustainable Fisheries shall keep us informed for the results of the above mentioned activities.

We remain at your disposal for any additional information / clarification.

Yours sincerely

C.C.
Division Dept.
Dep. Director

(signature)
C. CHRYSSOMALIS
A. ARFANAKOU

- ADDITIONAL DATA UPDATED 07 MARCH 2017 -**BY EMAIL ONLY**

**ΕΛΛΗΝΙΚΗ ΔΗΜΟΚΡΑΤΙΑ
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ΤΜ ΗΜΑ 4^ο
Δ/ΝΣΗ ΕΛΕΓΧΟΥ ΑΛΙΕΥΤΙΚΩΝ
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Αθήνα 07/03/2017
Α. Π.: 1439/23179

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At. to: Ms Iva OBRETENOVA
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Θέμα: Διαμαρτυρία 2014/6 : Εικαζόμενη μεγάλης κλίμακας εκμετάλλευση προστατευόμενων οστράκων στην Ελλάδα.

Σχετ. : α) το αριθ. 1325/21267/28-2-2017 έγγραφό μας

β) το αριθ. 2141.1-10/15359/2017/1.3.2017 έγγραφο της Διεύθυνσης Ελέγχου της Αλιείας του Υπουργείου Ναυτιλίας και Νησιωτικής Πολιτικής

Σε συνέχεια του παραπάνω (α) σχετικού εγγράφου μας, σας διαβιβάζουμε συνημμένο το (β) σχετικό, που αφορά σε αποφάσεις επιβολής διοικητικών κυρώσεων που εκδόθηκαν από κατά τόπους Λιμενικές Αρχές για τα έτη 2014,2015 και 2016 και για τα είδη *Lithophaga lithophaga* και *Pinna nobilis*. Παρακαλούμε για την ενημέρωση και τις ενέργειές σας.

Ακολουθεί ανεπίσημη μετάφραση.

Η Προϊσταμένη της Γενικής Διεύθυνσης
(με υπογραφή)
Μαρίνα Πέτρου

ΕΔ.: ΓΔΒΑ
ΔΑΠΑΠ: Γρ. Προϊσταμένου, Τμ. 1^ο,4^ο
ΔΕΛΑΔΠ

Unofficial Translation

Subject: Complaint n° 2014/6: Presumed large-scale exploitation and marketing of protected marine shelled molluscs in Greece

Ref: a) Our doc no 1325/21267/28-2-2017

b) No 2141.1-10/15359/2017/1.3.2017, doc. / Directorate for Fisheries Control/ Ministry of Shipping and Island Policy

Following the above document (a), we transmit to you the relevant document (b), relating to decisions imposing administrative penalties issued by local Port Authorities for the years 2014, 2015 and 2016, regarding the species *Lithophaga lithophaga* and *Pinna nobilis* for your information and your own actions.

The Director General
(signed)
Marina Petrou

Consolidated table as follows: [Blue characters ref. doc \(a\)](#)
Black characters ref. doc (b)
[Red characters ref. docs \(a\) and \(b\)](#)

s/n	Port Authority	Year	Species	Infringement	Fines (euros)	Withdrawal of fishing permit (days)
1	Chalkida	2014	Pinna nobilis	Fishing	300	10
2	Chalkida	2014	L.lithophaga	Fishing	500	
3	Chalkida	2014	L.lithophaga	Transport	300	
4	Chalkida	2014	L.lithophaga	Transport	600	60
5	Chalkida	2014	L.lithophaga	Transport	600	60
6	Chalkida	2015	Pinna nobilis	Fishing	300	
7	Chalkida	2015	L.lithophaga	Fishing	300	
8	Chalkida	2015	L.lithophaga	Fishing	300	
9	Chalkida	2015	L.lithophaga	Fishing	600	
10	Chalkida	2015	L.lithophaga	Fishing	600	
11	Chalkida	2016	L.lithophaga	Fishing	1.000	
12	Chalkida	2016	L.lithophaga	Offer to restaurant	1.000	
13	Chalkida	2016	L.lithophaga	Offer to restaurant	300	
14	Chalkida	2016	L.lithophaga	Fishing	600	
15	Chalkida	2016	L.lithophaga	fishing	600	
16	Chalkida	2016	L.lithophaga	fishing	300	
17	Mytilene	2014	Pinna nobilis	Fishing	300	
18	Mytilene	2015	Pinna nobilis	Fishing	500	
19	Mytilene	2015	Pinna nobilis	Fishing	600	
20	Mytilene	2015	Pinna nobilis	Fishing	600	
21	Mytilene	2015	Pinna nobilis	Fishing	600	
22	Mytilene	2015	Pinna nobilis	Fishing	300	
23	Mytilene	2015	Pinna nobilis	Fishing	300	
24	Mytilene	2015	Pinna nobilis	Fishing	300	
25	Aidipsos	2016	L.lithophaga	Fishing	300	
26	Preveza	2014	L.lithophaga	Fishing	1.000	
27	Preveza	2016	Pinna nobilis	Fishing	1.000	
28	Preveza	2016	Pinna nobilis	Fishing	1.000	
29	Kavala	2014	Pinna nobilis	Fishing	300	
30	Kavala	2014	Pinna nobilis	Fishing	300	
31	Piraeus	2014	Pinna nobilis	Fishing	300	
32	Piraeus	2014	Pinna nobilis	Fishing	600	
33	Mesologgi	2015	L.lithophaga	Fishing	400	
34	Mesologgi	2015	L.lithophaga	Fishing	1.000	
35	Mesologgi	2016	L.lithophaga	Fishing	300	

BY EMAIL ONLY

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Αθήνα 28 /02/2017
Α. Π.: 1325/21267

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Biodiversity Unit
At. to: Ms Iva OBRETENOVA
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Θέμα: Διαμαρτυρία 2014/6 : Εικαζόμενη μεγάλης κλίμακας εκμετάλλευση προστατευόμενων οστράκων στην Ελλάδα.

Σχετ. : αριθ. 2086/70/20-1-2017 έγγραφό σας με τη συνημμένη επιστολή της Γραμματείας της Σύμβασης της Βέρνης.

Σε συνέχεια της σχετικής αλληλογραφίας, που αφορά στο θέμα και ειδικότερα για θέματα αρμοδιότητας της Γενικής Διεύθυνσης Βιώσιμης Αλιείας, σας ενημερώνουμε για τα εξής:

Έχουμε δημοσιοποιήσει την υιοθέτηση των υποχρεώσεων που προκύπτουν από τη Διεθνή Σύμβαση της Βέρνης, όπως έχουμε ήδη αναφέρει και στο αριθ. 4234/74509/16-7-2015 έγγραφό μας. Στις περιπτώσεις που διαπιστώνονται παραβάσεις, επιβάλλονται οι προβλεπόμενες κυρώσεις (χρηματικά πρόστιμα, αφαίρεση ατομικής άδειας αλιείας, κατάσχεση και καταστροφή προϊόντος, κατάσχεση εργαλείων). Σε περιπτώσεις υποτροπής, οι ποινές υπερδιπλασιάζονται.

Από σχετική μας έρευνα για το είδος *Lithophaga lithophaga* και μετά από επικοινωνία με κατά τόπους Λιμενικές Αρχές (Κάλυμνος, Καβάλα, Θεσσαλονίκη, Αλεξανδρούπολη, Ραφήνα, Λαύριο, Ελευσίνα, Μυτιλήνη, Χίος, Σαλαμίνα, Κάρυστος, Στυλίδα, Κόρινθος, Χαλκίδα, Πειραιάς (Κεντρικό Λιμεναρχείο)) διαπιστώθηκε ότι για τα έτη 2014,2015 και 2016 κατά τη διάρκεια ελέγχων που πραγματοποιήθηκαν, παραβάσεις βεβαιώθηκαν από τη Λιμενική Αρχή Χαλκίδας, όπως παρακάτω:

Year	Infringement	Fines (euros)	Withdrawal of fishing permit (days)	Product Confiscated (kg)	Gear/Tool confiscated
2014	Fishing	500		1	
2014	Transport	300		7	
2014	Transport	600	60	5	
2014	Transport	600	60	7,7	
2015	Fishing	300		10	
2015	Fishing	300		6	
2015	Fishing	600		1	
2015	Fishing	600			
2016	Fishing	1.000		3	
2016	Offer to restaurant without documents of origin	1.000			
2016	Offer to restaurant without documents of origin	300			
2016	fishing	600			
2016	fishing	600			
2016	fishing	300		5	sledgehammer

Οι παραβάσεις αφορούσαν σε παράνομη αλιεία, τόσο από επαγγελματία όσο και από ερασιτέχνες αλιείς, παράνομη μεταφορά και παράνομη προσφορά σε κατάστημα, χωρίς παραστατικά προέλευσης.

Με το έγγραφό μας αριθ. 45/14499/17-2-2017 (συνημμένο), ζητήθηκε από την αρμόδια Διεύθυνση Ελέγχου της Αλιείας (Λιμενική Αστυνομία) του Υπουργείου Ναυτιλίας και Νησιωτικής Πολιτικής εντατικοποίηση των ελέγχων για αυτά τα είδη.

Θα ακολουθήσει επιπλέον ενημέρωση (ηλεκτρονικό φυλλάδιο που θα αναρτηθεί στην επίσημη ιστοσελίδα της υπηρεσίας μας, υπενθύμιση σε περιφερειακές υπηρεσίες αλιείας και φορείς).

Η Γενική Διεύθυνση Βιώσιμης Αλιείας θα σας κρατά ενήμερους.

Ακολουθεί ανεπίσημη μετάφραση.

Η Προϊσταμένη της Γενικής Διεύθυνσης
(Με υπογραφή)

Μαρίνα Πέτρου

ΕΔ.: ΓΔΒΑ

ΔΑΠΑΠ: Γρ. Προϊσταμένου, Τμ. 1^ο, 4^ο
ΔΕΛΑΔΠ

UNOFFICIAL TRANSLATION**Subject: Complaint n° 2014/6: Presumed large-scale exploitation and marketing of protected marine shelled molluscs in Greece**

Ref: Doc no 2086/70/20-1-2017 of Ministry of Environment with the attached letter of the Bern Convention Secretariat

Following previous contact for the above subject, we inform you for the following:

We published the adoption of the obligations arising from the International Bern Convention, as already mentioned in our document No. 4234/74509 / 16.07.2015. In cases where infringements detected, the provided penalties are imposed (fines, withdrawal of fishing permits, confiscation and destruction of the product, confiscation of fishing tools). In cases of recidivism, the penalties are doubled.

According to data collected for the species *Lithophaga lithophaga*, during relative contact with local Port Authorities (Kalymnos, Kavala, Thessaloniki, Alexandroupolis, Rafina, Lavrion, Elefsina, Mytilini, Chios, Salamina, Karystos, Styrida, Corinthos, Chalkida, Piraeus (Central Port Authority)) for the years 2014, 2015 and 2016 during controls carried out, infringements ascertained by the Port Authority Chalkida, as below:

Year	Infringement	Fines (euros)	Withdrawal of fishing permit (days)	Product Confiscated (kg)	Gear/Tool confiscated
2014	Fishing	500		1	
2014	Transport	300		7	
2014	Transport	600	60	5	
2014	Transport	600	60	7,7	
2015	Fishing	300		10	
2015	Fishing	300		6	
2015	Fishing	600		1	
2015	Fishing	600			
2016	Fishing	1.000		3	
2016	Offer to restaurant without documents of origin	1.000			
2016	Offer to restaurant without documents of origin	300			
2016	fishing	600			
2016	fishing	600			
2016	fishing	300		5	sledgehammer

Infringements related to illegal fishing, from professional and recreational fishers , illegal transportation and illegal offer to sale in restaurants, without documents of origin.

With our document 45/14499/17-2-2017 (attached), the Competent Central Authority for Port Authorities is asked to tighten controls for these species.

An additional awareness will follow (electronic brochure that will be uploaded to DG for Sustainable Fisheries website, reminder to Regional Fisheries Departments and stakeholders).

The Directorate General for Sustainable Fisheries shall keep you informed.

The Director General
(signed)

Marina Petrou