

Serious infringement by Danish vessel in Irish waters

Page 18 of the English translation. Page 25 of the Danish original

See also media report from 27 Aug 2015

<https://www.irishtimes.com/news/ireland/irish-news/fishing-body-backs-judicial-review-of-penalty-points-system-1.2331257>

Relevant extracts from the report are below:

50. The Public Accounts Committee notes that in a further case the Ministry of Foreign Affairs has been requested to assign penalty points to a Danish registered vessel, cf. box 2.

Box 2: Serious infringement by Danish vessel in Irish waters

In November 2014, a Danish-registered fishing vessel committed a serious infringement of fishery rules in Irish waters, according to the Irish fishery authorities. The Irish authorities addressed the Danish authorities to assign six penalty points to the Danish vessel for having fished in Irish waters without a quota. When the Irish authorities have determined that a serious infringement of the fishery regulation has taken place, the fisherman is inadmissible for 12 months, according to the regulation.

The Danish authorities rejected to assign penalty points to the vessel, among other things because there was no inspection report, which was required by the Danish authorities before they would process the case to assign penalty points. Shortly after the infringement, the ministry approved a unilateral agreement to transfer additional quotas from the Netherlands to Denmark, which, according to the Danish authorities, then allowed the fisherman to catch the illegally obtained fish. The Irish authorities, however, maintained that the fisherman had committed a serious infringement.

The unilateral agreement to transfer quotas was stated as one of the main reasons for the Danish authorities to abstain from assigning penalty points to the fisherman for having committed an infringement in Irish waters, according to the case.

51. It is the opinion of the Public Accounts Committee that the result of the Irish authorities' concrete assessment, that the owner of a vessel had committed a serious infringement of the fishery regulation, is that the ministry has awarded DKK 2 million in support to an applicant, who, as the case has highlighted, is inadmissible.

52. The ministry has informed that it will conduct an analysis, which will seek to determine whether there is basis for resuming the case.