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SUSTAINABLE FISHERIES MANAGEMENT PROJECT (SFMP)

Baseline for Prosecution: Summary of Fisheries Arrests and Prosecution in the Western and Eastern Commands



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THE
UNIVERSITY
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Friends of the Nation

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Cover photo: Cross-section of participants in a prosecutorial chain meeting in Takoradi (Credit: FoN Photo)

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ACRONYMS

FoN	Friends of the Nation
GNA	Ghana News Agency
ICFG	Integrated Coastal and Fisheries Governance
IEZ	Inshore Exclusive Zone
MCS	Monitoring Control and Surveillance
MOFAD	Ministry of Fisheries and Aquaculture Development
SFMP	Sustainable Fisheries Management Program
URI	University of Rhode Island
USAID	United States Agency for International Development
WR	Western Region

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INTRODUCTION

The Sustainable Fisheries Management Project (SFMP) is funded by USAID Ghana and is being implemented over a 5-year period from 2014 to 2019 in Ghana by a consortium of partners with Coastal Resources Center of the University of Rhode Island as the lead partner. The implementing partners include: Friends of the Nation (FoN), Hen Mpoano, SNV, DAA, DAASGIFT, CEWEFIA, SSG- Advisors and Spatial Solutions.

The key objective of the project is to contribute to the rebuilding of Ghana's marine fisheries stock (small pelagics) and catches through adoption of responsible fishing practices. The reason being that; Ghana's small pelagic species which composed mainly of *Sardinella aurita* and *Sardinella maderensis*, are the main source of animal protein for the majority of coastal populations. However, the stock has already experienced signs of collapse. Recent stock assessments of small pelagics reported that these stocks are severely overfished and that overfishing continues to exacerbate beyond the level of sustainability.

Towards contributing to the above objective and as part of SFMP activities, baseline information was collated from Fisheries Commission to understand the trend of arrest and prosecution of marine fisheries cases and conduct analysis with the accessed data. This information will inform the implementation of the SFMP strengthened law enforcement component.

ANALYSES

The analyses focused on cases handled between the years 2007 and 2015; and were conducted along the following lines:

- Category of Offense
- Vessel Types and Origin
- Case Settlement and Fine Status
- Comparative Analysis by year of arrest
- Comparative Analysis by Jurisdiction

Media reportage relative to fisheries infractions were also documented. For the purpose of this document, the fisheries arrest and adjudicated areas are divided into two; Western Command and Eastern Command. Western Command encompasses Central and Western Regions while the Eastern Command covers Greater Accra and Volta Regions.

It must be noted that the analyses were based on the available information from the Monitoring Control and Surveillance (MCS) Unit of the Fisheries Commission, and may alter as and when new cases and unavailable data are brought on board.

Category of Offense

Per the records accessed by FoN, 199 arrests were made within a period of 8-year, ranging from 2007 to 2015 by both Western and Eastern Commands put together. 2007 had four (4) arrests cases recorded from W/R, all of which were semi-industrial vessels. Two (2) of these were arrested for fishing in the Inshore Exclusive Zone (IEZ), while the offenses of the other two (2) were not specified (Table 1). In 2008, two (2) industrial vessels fishing within the IEZ were arrested; and that was all the arrests noted per the available records (Table 2). For both 2009 and 2010 only industrial vessels were arrested also fishing within the IEZ (Tables 3 and 4 respectively).

In 2011, a total of 37 arrests were made. Seven (7) categorize of offenses constituted the 37 arrests. The categories are: Light fishing constituting 26 and (representing 58%, being the highest offense), followed by Fishing with undersized mesh nets which recording 6 arrests (representing approximately 16%). Fishing without license, fishing within 30m depth and fishing with expired license recorded 13%, 5% and 4% respectively. Chief Engineers not having certificate of competence on-board during fishing recorded the least arrest of 2%,

All the arrest in 2011 are indicated in figure 1 and Table 5 below.

In 2012, only one offense is reported to have been arrested (Table 6), while 23 offenses were recorded in 2013. A total of 60 arrests were made in 2014, with 46 recorded in the Eastern command and 14 in the Western command. As at July 2015, 68 arrests had been recorded for 2015, with 60 in the Eastern command and 8 in the Western command (refer to Tables 6, 7, 8 and 9).

Table 1 Showing details of arrests made in 2007 in the Western Command

S/N	DATE OF ARREST	VESSEL NAME	TYPE OF VESSEL	OWNING COMPANY	OFFENSE	SETTLEMENT PROCEDURE	AMOUNT IN FINES IMPOSED	REMARKS
1	20 th April, 2007			Kiki Co. Ltd.	Fishing in the IEZ	Out-of-Court	GHC 38,000.00	Settled Fine paid in full
2	25 th April, 2007			Kiki Co. Ltd.	Fishing in the IEZ	Out-of-Court	GHC 1,200.00	Settled Fine paid in full
3	31 st Dec, 2007	TF 193	Semi-industrial			Out-of-Court	GHC 500.00	Settled Fine paid in full
4	31 st Dec, 2007	CRF 71	Semi-Industrial			Out-of-Court	GHC 400.00	Settled Fine paid in full

(Source: MCS Unit of the Fisheries Commission)

Table 2 Showing details of arrests made in 2008 in the Western Command

S/N	DATE OF ARREST	VESSEL NAME	TYPE OF VESSEL	OWNING COMPANY	DATE OF ARBITRATION	OFFENSE	SETTLEMENT PROCEDURE	AMOUNT IN FINES IMPOSED	REMARKS
1	8 th Sept, 2008	Maache I (AF 676) Maache II (AF 677)	Industrial Trawler	Nebula Intl. Ltd		Fishing in the IEZ	Out-of-Court	GHC 53,335.00	Settled Fine paid in full
2	17 th Dec, 2008	Twin Port City 101	Industrial Trawler	Mass Fisheries		Fishing in the IEZ	Out-of-Court	GHC 50,000.00	Settled Fine paid in

S/N	DATE OF ARREST	VESSEL NAME	TYPE OF VESSEL	OWNING COMPANY	DATE OF ARBITRATION	OFFENSE	SETTLEMENT PROCEDURE	AMOUNT IN FINES IMPOSED	REMARKS
		(AF 631) Twin Port City 102 (AF 629)		Co. Ltd.					full

(Source: MCS Unit of the Fisheries Commission)

Table 3 Showing details of arrests made in 2009 in the Western Command

S/N	DATE OF ARREST	VESSEL NAME	TYPE OF VESSEL	OWNING COMPANY	DATE OF ARBITRATION	OFFENSE	SETTLEMENT PROCEDURE	AMOUNT IN FINES IMPOSED	REMARKS
1	31 st Mar, 2009	MV Adum (AF 619)	Industrial Trawler	Legon Fishing Co.		Fishing in the IEZ	Out-of-Court	GHC 15,625.00	Settled Fine paid in full
2	17 th Dec, 2009	MV Awo Yaa (AF 648)	Industrial Trawler	Cavalier Resources Ltd.		Fishing in the IEZ	Out-of-Court	GHC 16,650.00	Settled Fine paid in full

(Source: MCS Unit of the Fisheries Commission)

Table 4 Showing details of arrests made in 2010 in the Western Command

S/N	DATE OF ARREST	VESSEL NAME	TYPE OF VESSEL	OWNING COMPANY	DATE OF ARBITRATION	OFFENSE	SETTLEMENT PROCEDURE	AMOUNT IN FINES IMPOSED	REMARKS
1	12 th Feb, 2010	MV Awo Yaa 8 (AF 602)	Industrial Trawler	Cavalier Resources Ltd.		Fishing in the IEZ	Out-of-Court	GHC 19,430.00	Settled Fine paid in full
2	7 th Dec, 2010	MV Twin Port City 101	Industrial Trawler	Mass Fisheries		Fishing in the IEZ	Out-of-Court	GHC 15,400.00	Settled Fine paid in full

(Source: MCS Unit of the Fisheries Commission)

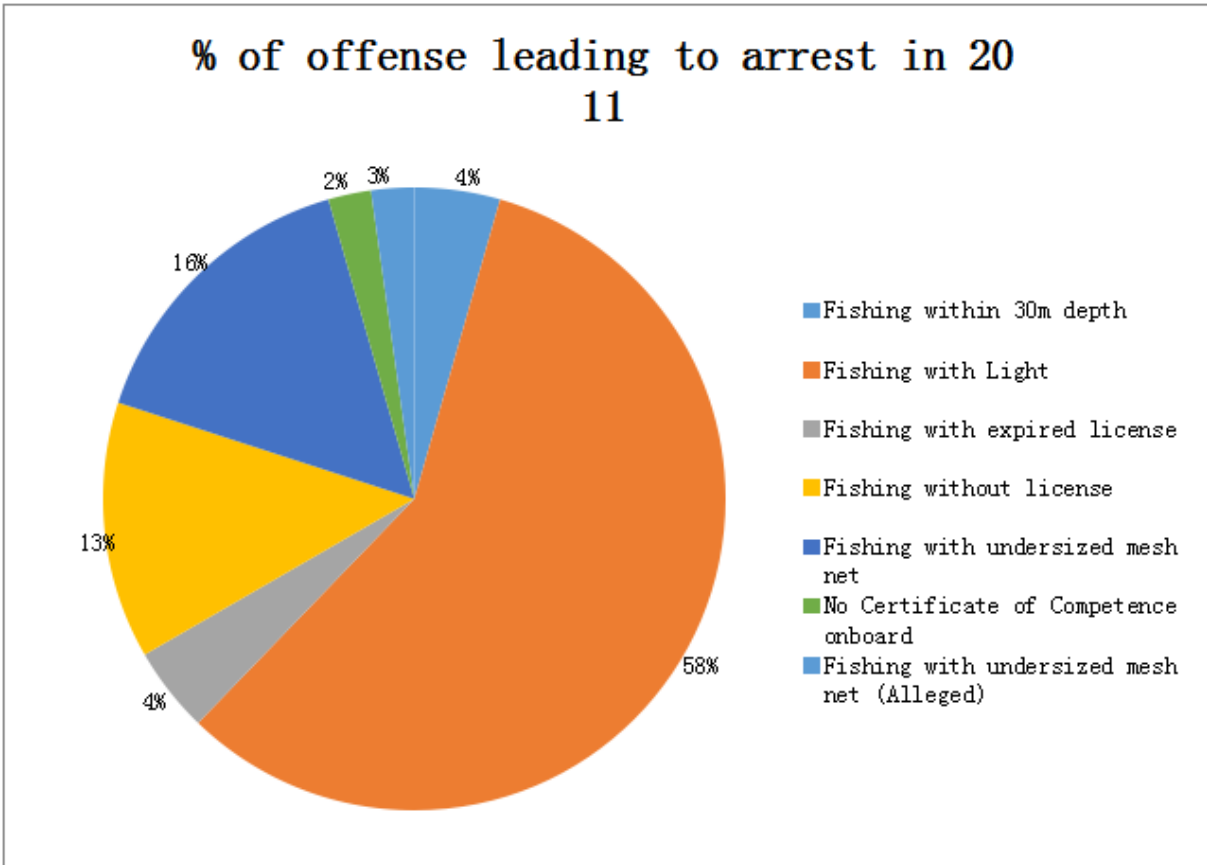


Figure 1 Pie Chart showing percentage of offense leading to arrests in 2011 within the Western Command

Table 5 Showing details of arrests made in 2011 in the Western Command

No	Date of Arrest	Name of Vessel	Vessel Type	Infraction(s)	Name & Address of Owner	Case Status
1.	January 11, 2011	Star of Hope (AF 589)	Trawler	Fishing within 30m depth	Mass Fisheries Limited. P.O. Box 474, Sekondi	In Court. Vessel released pending case outcome.
2.		Sekondi (AF 590)	Trawler	Fishing within 30m depth	Mass Fisheries Limited. P.O. Box 474, Sekondi	In Court. Vessel released pending case outcome.
3.		Shidaa Aha Yehowa (CRF 161)	Inshore	Fishing with Light	Andrews Tetteh. P.O. Box 8, Kpone, Tema.	In Court. Vessel released pending case outcome.
4.		Nyame ne me Boafo	Canoe	Fishing with Light	Joseph Kingsford Nyarko, Hse # 55, Ngyeresia.	In Court. Vessel released pending case outcome.
5.		God is King (EL 79)	Inshore	Fishing with expired license	Marshal Awudu	In Court. Vessel released pending case outcome.
6.	January 13, 2011	Aye Ewie Nyame	Canoe	Fishing with Light	Kwame Philip, Elmina. Kweku Ntewsa, Hse # 21/2, Ekwon, Cape Coast.	In Court. Vessel released pending case outcome.

No	Date of Arrest	Name of Vessel	Vessel Type	Infraction(s)	Name & Address of Owner	Case Status
7.		Jehovah Jareh	Inshore	Fishing with Light	Sis. Veronica Mansa. Hse # 39/2 Elmina	In Court. Vessel released pending case outcome.
8.		Halleluyah (EL 93)	Inshore	Fishing without license		In Court. Vessel released pending case outcome.
9.	January 14, 2011	Nana Aba Ogyetsiwa (CRF 223)	Inshore	Fishing without license, undersized mesh net		In Court. Vessel released pending case outcome.
10	January 15, 2011	Great Messiah (CRF 202)	Inshore	Fishing without license, undersized mesh net		In Court. Vessel released pending case outcome.
11		Boafo ne Nyame (TF 293)	Inshore	Fishing without license, undersized mesh net		In Court. Vessel released pending case outcome.
12	January 27, 2011	Tumi Wura (CRF 68)	Inshore	Fishing without license, undersized mesh net		In Court. Vessel released pending case outcome
13		Nyame na ohwe Nyimpa	Canoe	Fishing with Light	Kwesi Esuman, D 73, Elmina	In Court. Vessel released pending case outcome
14		Nyame Bekyere	Canoe	Fishing with Light	Kwaku Salu, B 9/2 Cape Coast	In Court. Vessel released pending case outcome
15		Nyame Tease	Canoe	Fishing with Light	Egya Kwaw Eskine, Saltpond	In Court. Vessel released pending case outcome

No	Date of Arrest	Name of Vessel	Vessel Type	Infraction(s)	Name & Address of Owner	Case Status
16	March 3, 2011	Nana Doduwa (CRF 124)	Inshore	Fishing with Light	Kofi Kootsia	In Court. Vessel released pending case outcome
17		Stena Bulk (CRF 132)	Inshore	Fishing with Light, undersized mesh net		In Court. Vessel released pending case outcome
18	March 4, 2011	Shamo Quai	Canoe	Fishing with Light	S'DI Canoe Owners Association. SD'I	In Court. Vessel released pending case outcome
19		Aseda nka Nyame (Victory)	Canoe	Fishing with Light		In Court. Vessel released pending case outcome
20		Aseda nka Nyame (STC)	Canoe	Fishing with Light	Papa Bosomtwe, Hse #33/7. Second Street, Cape Coast.	In Court. Vessel released pending case outcome
21	March 10, 2011	Nana Lawyer Kasa	Canoe	Fishing with Light	Lawyer Abaka Samuel/ Kweku Amatey, 22/2 King Aggrey Street, Cape Coast.	In Court. Vessel released pending case outcome
22		Nana Abena Atta (EL 324)	Inshore	Fishing with Light	Egya Ewusi, Hse # C100, Mumford.	In Court. Vessel released pending case outcome

No	Date of Arrest	Name of Vessel	Vessel Type	Infraction(s)	Name & Address of Owner	Case Status
23	March 14, 2011	Nana Anoa I (AF 655)	Trawler	Fishing with expired license, undersized codend mesh. Chief Engineer had no Certificate of Competence onboard	Adom Mbroso, Tema.	
24	March 30, 2011	Nana Kwesi Ewusi (EL 39)	Inshore	Fishing with Light	Kwaw Aluku, Hse # F1, Mumford	Under Police Investigation. Vessel in Custody of Ghana Navy.
25		Nyame na Ohyira Nyimpa (EL 242)	Inshore	Fishing with Light	Opanyin Kofi Yena, S'DI	Under Police Investigation. Vessel in Custody of Ghana Navy
26		Jesus Loves You (CRF 207)	Inshore	Alleged to be fishing with undersized mesh net	Francis Alfred Arthur, 1/3 Market Square, Elmina	Under Police Investigation. Vessel in Custody of Ghana Navy
27	April 3, 2011	Nyame Tumi	Canoe	Fishing with Light	Kwesi Ackon	Under Police Investigation. Vessel Released.
28		Saboo	Canoe	Fishing with Light	Shaibu N. Aboasi	Under Police Investigation. Vessel Released.

No	Date of Arrest	Name of Vessel	Vessel Type	Infraction(s)	Name & Address of Owner	Case Status
29	May 14, 2011	Sea Never Dry	Canoe	Fishing with Light	Maxwell Arhin, Hse # 18/2, Diabenekrom.	Under Police Investigation. Vessel Released.
30		All is Good	Canoe	Fishing with Light	Anthony Eshun	Under Police Investigation. Vessel Released.
31	June 13, 2011	Maame Adjoa Effrim	Inshore	Fishing without License, Fishing with undersized codend mesh	Kweku Essoun	Under Police Investigation. Vessel in Custody of Ghana Navy
32		All days are not Equal	Canoe	Fishing with Light	John Annan, Hse # 43/5, Bantuma Anyinmu	Under Police Investigation
33		Nothing Late	Canoe	Fishing with Light	Isaac Ackon	
34		Thank you God	Canoe	Fishing with Light	Papa Amba Ntam, Elmina Nsamanpom	
35		God First	Canoe	Fishing with Light	Papa Kwesi, Elmina	
36		Nyame ye Otumfuo (CR 165)	Canoe	Fishing with Light	Mr. Pratt	
37		Nyomo Wo ko	Inshore	Fishing with Light	Daniel Sam	

(Source: Modified from MCS Unit of the Fisheries Commission)

Table 6 Showing details of arrests made in the Eastern Command from 2010 to 2015.

Year	Arrests	Court Prosecutions	Arbitrated Cases	Pending	Remarks
2010	NA	NA	NA	NA	Could not find information of arrests and prosecutions in these periods, even though a task force then seized some illegal gear, especially monofilament nets and generators.
2011	NA	NA	NA	NA	
2012	1	1	0	0	A Tema circuit court imposed a fine of GHS3,600 on a Tuna vessel for fishing without license.
2013	22	0	22	0	10 tuna companies were fined GHS3m for fishing in 3 rd party states. These cases which occurred in 2012 to early 2013 contributed to the imposition of the yellow card on Ghana by the EC. The installation of VMS on tuna vessels in October 2012 and the requirement for catch certification have resulted in zero incidents of IUU by tuna vessels.
2014	46	1	45	0	Between 2014 and May 2015, GHS2.4m has been paid by trawler companies, semi industrial and canoe owners for various infractions including: fishing in 3 rd party states, fishing in the IEZ, fishing with undersized mesh nets, landing undersized fish, trans-shipment between trawlers and canoes and light fishing. The pending cases are being dealt with. The installation of VMS on trawler vessels in July 2014 and the requirement for catch certification have resulted in zero incidents of fishing illegally in 3 rd party states by trawler vessels. Issues that remain prevalent are the use of light, monofilament nets, chemicals, small meshed nets and trawler-canoe trans-shipments. In 2014, the FEU seized several monofilament nets and generators for which offenders were not prosecuted.
2015 (June)	60	3	24	35	

(Source: MCS Unit of the Fisheries Commission)

Table 7 Showing details of arrests made in 2013 in the Western Command

S/N	DATE OF ARREST	VESSEL NAME	TYPE OF VESSEL	OWNING COMPANY	DATE OF ARBITRATION	OFFENSE	SETTLEMENT PROCEDURE	AMOUNT IN FINES IMPOSED	REMARKS
1	21 st Dec, 2013	Aka Ewie	Artisanal Canoe		27 th Jan, 2014	Unauthorized transshipment	Out-of-Court	GHC 17,400.00	Settled Fine paid in full
2	21 st Dec, 2013	Meng Xin 5 (AF 670)	Industrial trawler		26 th August, 2014	Unauthorized Transshipment Use of top-side chafers	In court	GHC346,790.00	Settled Fine partly paid (GHC 100,000)
3	31 st Dec, 2013	Genesis 3 (AF 688)	Industrial trawler	Nashie Fisheries	20 th Jan, 2014	Fishing in the IEZ	Out-of-Court	GHC 25,100.00	Settled Fine paid in full

(Source: MCS Unit of the Fisheries Commission)

Table 8 Showing details of arrests made in 2014 in the Western Command

S/N	DATE OF ARREST	VESSEL NAME	TYPE OF VESSEL	OWNING COMPANY	DATE OF ARBITRATION	OFFENSE	SETTLEMENT PROCEDURE	AMOUNT IN FINES IMPOSED	REMARKS
1	19 th Feb, 2014	Awo Yaa 8 (AF 648)	Industrial trawler	Cavalier Resources Ltd.	28 th Feb, 2014	Fishing in the IEZ Fishing with a net of undersized mesh	Out-of-court	GHC 104,385.00	Settled Fine paid in full
2	16 th May, 2014	Ketewa Bia Nsua	Canoe	Diana Mireku	13 th June, 2014	Unauthorized Transshipment	Out-of-court	GHC 15,000.00	Settled Fine paid in full
3	17 th May, 2014	Ewieye Ne Asem	Canoe	Kofi Segu	13 th June, 2014	Unauthorized Transshipment	Out-of-court	GHC 10,000.00	Settled Fine paid in full
4	19 th May, 2014	Miracle Malor	Canoe	Kweku Eshun	13 th June, 2014	Unauthorized Transshipment	Out-of-court	GHC 10,350.00	Settled Fine paid in full
5	26 th June, 2014	Nyame Ye Kese	Canoe	Alex Opape	17 th July, 2014	Unauthorized Transshipment	Out-of-court	GHC 12,360.00	Settled Fine paid in full
6	21 st June, 2014	Comforter 2	Industrial vessel	Boatacom Co. Ltd.	30 th July, 2014	Fishing with a net of undersized cod-end mesh	Out-of-court	GHC 24,085.00	Settled Fine paid in full

S/N	DATE OF ARREST	VESSEL NAME	TYPE OF VESSEL	OWNING COMPANY	DATE OF ARBITRATION	OFFENSE	SETTLEMENT PROCEDURE	AMOUNT IN FINES IMPOSED	REMARKS
7	21 st July, 2014	Twin Port City 101	Industrial vessel	Mass Fisheries Co. Ltd.	31 st July, 2014	Fishing with a net of undersized cod-end mesh	Out-of-court	GHC 6,809.00	Settled Fine paid in full
8	1 st April, 2014	Fidelis 102	Industrial vessel		11 th September, 2014	Fishing with a net of undersized mesh Use of top-side chafers Failure to comply with instructions of arresting officer	Out-of-court	GHC 9,650.00	Settled Fine paid in full
9	1 st April, 2014	Lian Run 14	Industrial vessel	Decdor Co. Ltd.	12 th September, 2014	Fishing with a net of undersized mesh Use of top-side chafers	Out-of-court	GHC 6,650.00	Settled Fine paid in full

S/N	DATE OF ARREST	VESSEL NAME	TYPE OF VESSEL	OWNING COMPANY	DATE OF ARBITRATION	OFFENSE	SETTLEMENT PROCEDURE	AMOUNT IN FINES IMPOSED	REMARKS
10	7 th April, 2013	Lu Rong Yuan Yu 910	Industrial Vessel	Reonq Fishing Company	14 th October, 2014	Failure to sign entries in the fishing log book Wrong crew composition Failure to comply with instructions of arresting officer	Out-of-court	GHC 24,829.00	Settled Fine paid in full
11-14	28 th August, 2014	Sombo Guo Jin 801 Maache II Emule 4	Industrial trawlers	Paradise Fishing Co. Ltd. Nebula Fishing Co	28 th October, 2014	Fishing in prohibited zone (gas pipe line)	Out-of-court	n/a	Cases adjourned for further investigation
15		Twin Port City 101	Local industrial	Mass Fisheries Co. Ltd.	24 th December, 2014	Fishing in the IEZ	Out-of-court	GHC50,700.90	Settled. Fine paid in full (paid in 2015)

(Source: MCS Unit of the Fisheries Commission)

Table 9 Showing details of arrests made in 2015 in the Western Command

S/N	DATE OF ARREST	VESSEL NAME	TYPE OF VESSEL	OWNING COMPANY	DATE OF ARBITRATION	OFFENSE	SETTLEMENT PROCEDURE	AMOUNT IN FINES IMPOSED	REMARKS
1	5 th January, 2015	MV Luyu 902 (AF 596)	Industrial trawler	Winemas Co. Ltd.	5 th March, 2015	Fishing with a net of undersized mesh size	Out-of-court	GHC 46,000	GHC30,000 paid so far (Payment made in Accra)
2	30 th Jan, 2015	MV Asona (AF 617)	Industrial trawler	Legon Fishing Co.	6 th February, 2015	Failure to document properly in the fishing log book Failure to ensure safe boarding of inspection officers	Out-of-court	GHC 19,400	Settled Fine paid in full
3	11 th April, 2015	Lu Rong Yuan Yu 959 (AF 741)	Industrial trawler	Rockpoint Co. Ltd.	22 nd April, 2015	Taking on board undersized fish	Out-of-court	GHC47,980 & \$250,000	Paid GHC 200,000 as accepted by Hon. Min.

S/N	DATE OF ARREST	VESSEL NAME	TYPE OF VESSEL	OWNING COMPANY	DATE OF ARBITRATION	OFFENSE	SETTLEMENT PROCEDURE	AMOUNT IN FINES IMPOSED	REMARKS
4	12 th April, 2015	Jin Hai 605 (AF 744)	Industrial trawler	Itavan Ventures	23 rd April, 2015	Taking on board undersized fish	Proposed for out-of-court settlement	GHC13,049 & \$250,000	Fine yet to be paid
5	12 th April, 2015	Jin Hai 608 (AF 745)	Industrial trawler	Itavan Ventures	23 rd April, 2015	Taking on board undersized fish	Out-of-court	GHC38,799 & \$250,000	Paid GHC 200,000 as accepted by Hon. Min.
6	16 th April, 2015	Meng Xin 16	Industrial vessel	Kenbonad Fisheries Ltd.	Yet to happen	IUU	Court - for release of vessel (Vessel was released by the court on 15.05.15 and signed a bond of 2 million USD)		
7	29 th July, 2015	Comforter I (AF 749)	Industrial trawler	Boatacom Ltd.	12 th August, 2015	Harvesting juvenile fish Use of top-	Out-of-court	US\$50,000 & GHC 10,000	Fine yet to be paid

S/N	DATE OF ARREST	VESSEL NAME	TYPE OF VESSEL	OWNING COMPANY	DATE OF ARBITRATION	OFFENSE	SETTLEMENT PROCEDURE	AMOUNT IN FINES IMPOSED	REMARKS
						side chafers			
8	30 th July, 2015	Meng Xin II (AF 660)	Industrial trawler	Bossgie Ltd.	12 th August, 2015	Use of top-side chafers	Out-of-court	GHC 3,000	Fine paid in full

(Source: MCS Unit of the Fisheries Commission)

Vessel Types and Origin

Out of the 199 offenses, the records available linked 83 to vessel types, with the remaining not specified. Of the 83 offending vessel, 28 were Artisanal Canoes. 17 were Semi-Industrial/Inshore Vessels and 38 were Industrial Trawlers (Figure 2). One of the trawlers was noted to be a local-industrial trawler.

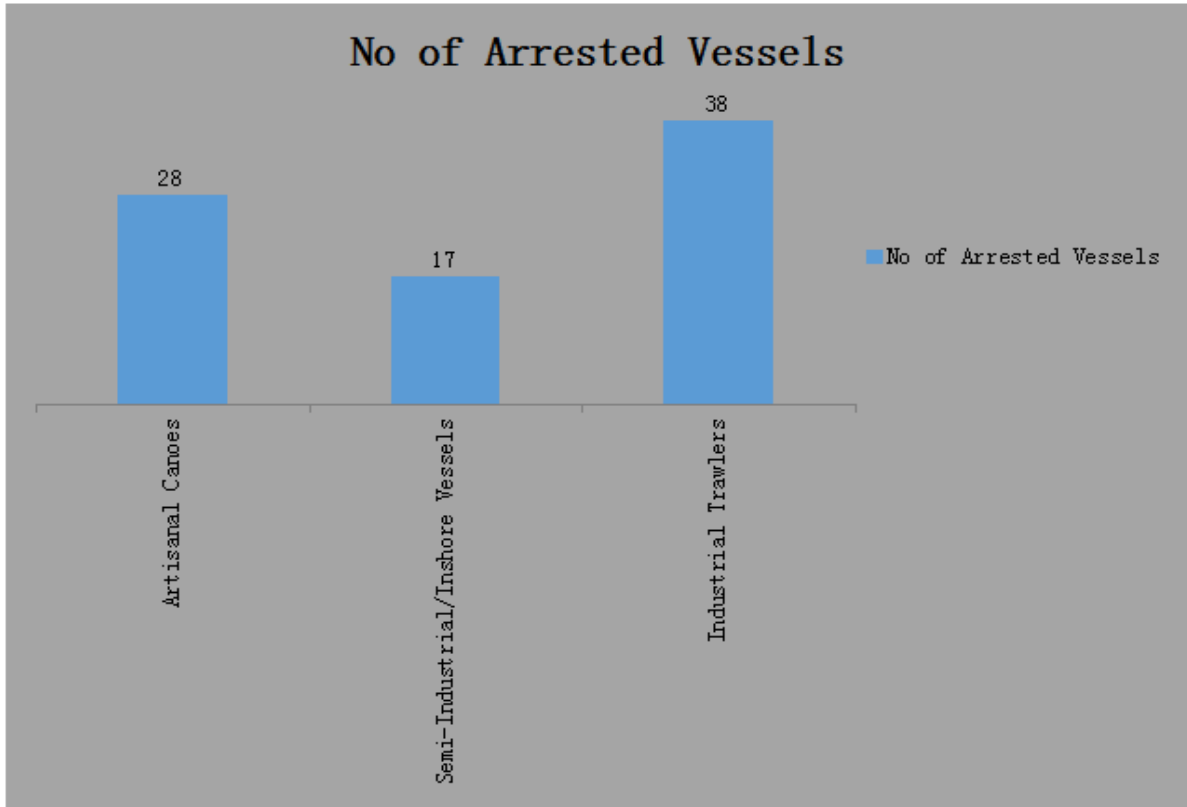


Figure 2 Categorized arrested vessels

Case Settlement and Fine Status

The record shows that legal actions were taken against offenders in different forms. The mode of settlement was mainly In-Court settlement and Out-of-Court settlement. Per the available records, 121 cases were noted to have been settled Out of Court, with offenders expected to pay a total fine of GHS 956,086 + \$ 800,000.

Offenses that were settled in-court totaled 28, with offenders expected to pay up to GHC5,750,390 (Figure 3). Both Court and Out-of-court settlements, if paid in full, would have amounted to GH ₵6,706,476 + \$800,000. A total of 9 cases are still pending under Police investigations, with the rest unspecified.

Out-of-Court Settlements

From the record, most out-of-court settlements had their fines paid in full, except in instances where there was additional Dollar fines to be paid. In such cases, some payments were made under certain conditions. For instance, an Industrial trawler by name *jin Hai 608 (AF 745)* belonging to Itavan Ventures was arrested on April 12, 2015 for taking on board undersized fish. The case was settled out of court on April 23, 2015, where the offenders were expected to pay a fine of GH¢38,799 & \$250,000. However, the culprit rather paid GH¢ 200,000 as accepted by the Minister of Fisheries.

In another instance, an Industrial trawler, *Lu Rong Yuan Yu 959 (AF 741)*, belonging to Rockpoint Co. Ltd was arrested on 11th April, 2015 for taking on board undersized fish. Instead of paying a fine of GH¢47,980 & \$250,000, by the out-of-court agreement, the culprit paid GH¢ 200,000 as accepted by the Minister of Fisheries.

In-Court Settled Cases

Unlike cases settled out of court, most of the In-court settled cases saw part payment of fines rather than the full payment expected (Table 12). In some cases, the fines have not being paid at all up to date. Of the expected total fines of GH¢ 2,950,258 to be paid in full, a total of GH¢530,000 were recouped as part payments; adding up to GH¢ 3,480,258. This means, approximately 48% + \$800,000 are not yet fulfilled as payment of fines.

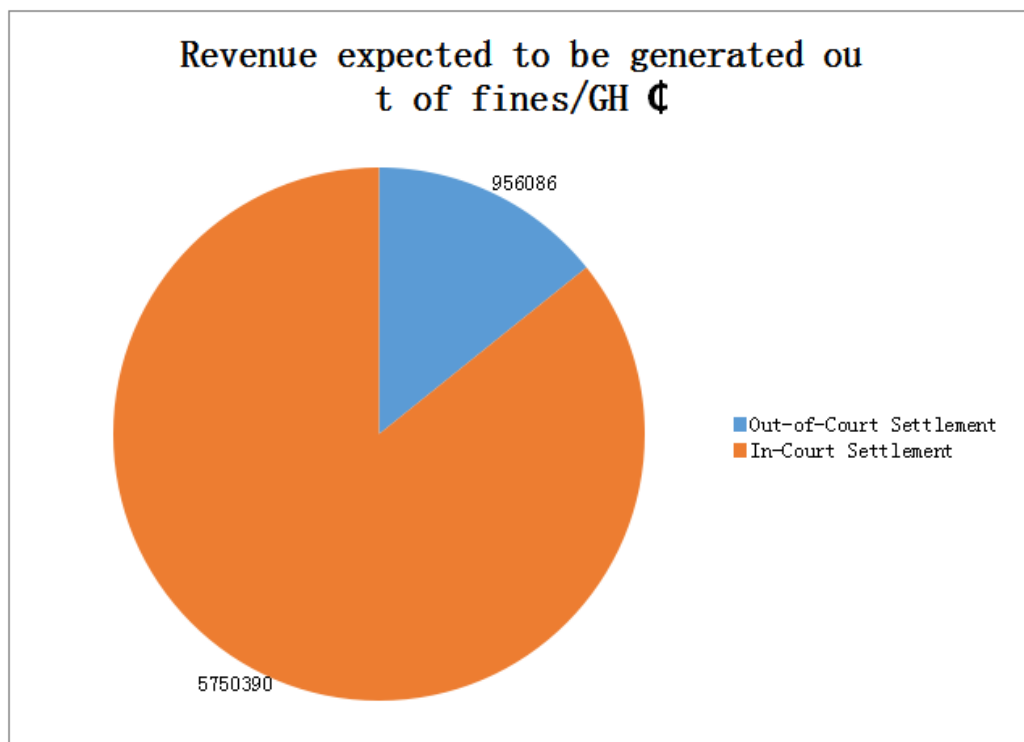


Figure 3 Indicating expected revenues to be generated out of fines

With the exception of 2011, there is data on the amount of fine imposed on culprits during both In-court settlement and Arbitration. The data (Table 10) indicates that 2013 recorded the highest imposed fines totaling GH¢ 3,389,290, while 2012 recorded the least imposed fine of GH¢ 3,600. The high fines recorded in 2013 was as a result of 10 tuna companies fined GH¢ 3,000,000 for fishing in 3rd party states. These cases which occurred in 2012 to early 2013 contributed to the imposition of the yellow card on Ghana by the EC.

With no specificity, fine on several infractions led to the payment of GH¢ 2,400,00 between 2014 and May 2015 (Table 12), by trawler companies, semi industrial and canoe owners for various infractions including fishing in 3rd party states, fishing in the IEZ, fishing with undersized mesh nets, landing undersized fish, trans-shipment between trawlers and canoes and light fishing.

Table 10 Annual total imposed fines

YEAR	TOTAL AMOUNT, GH ¢
2007	40,100
2008	103,335
2009	32,275
2010	34,830
2011	
2012	3,600
2013	3,389,290
2014	274,818
2014-2015	2,400,000
2015	178,228

Comparative Analysis by Year of Arrest

Although as at the time of the analyses, 2015 was only half-way through, it recorded the highest documented arrests (i.e. 68 total arrests). This was followed by 2014 with 60 arrests and 2011 with 37 arrests. 2012 recorded only one arrest which placed the year as that with the least arrest noted to be documented (Table 11).

From Figure 4, it is noted that arrests were drastically down until 2011 where arrests went up steeply and down again in 2012. Since 2012, the arrests took a steep slope upwards and maintained the trend till mid-2015.

Table 11 Total Annual Arrests

Year of Arrest	Total number of Arrests
2007	4
2008	2
2009	2
2010	2
2011	37
2012	1
2013	23
2014	60
2015	68
TOTAL ARRESTS	199

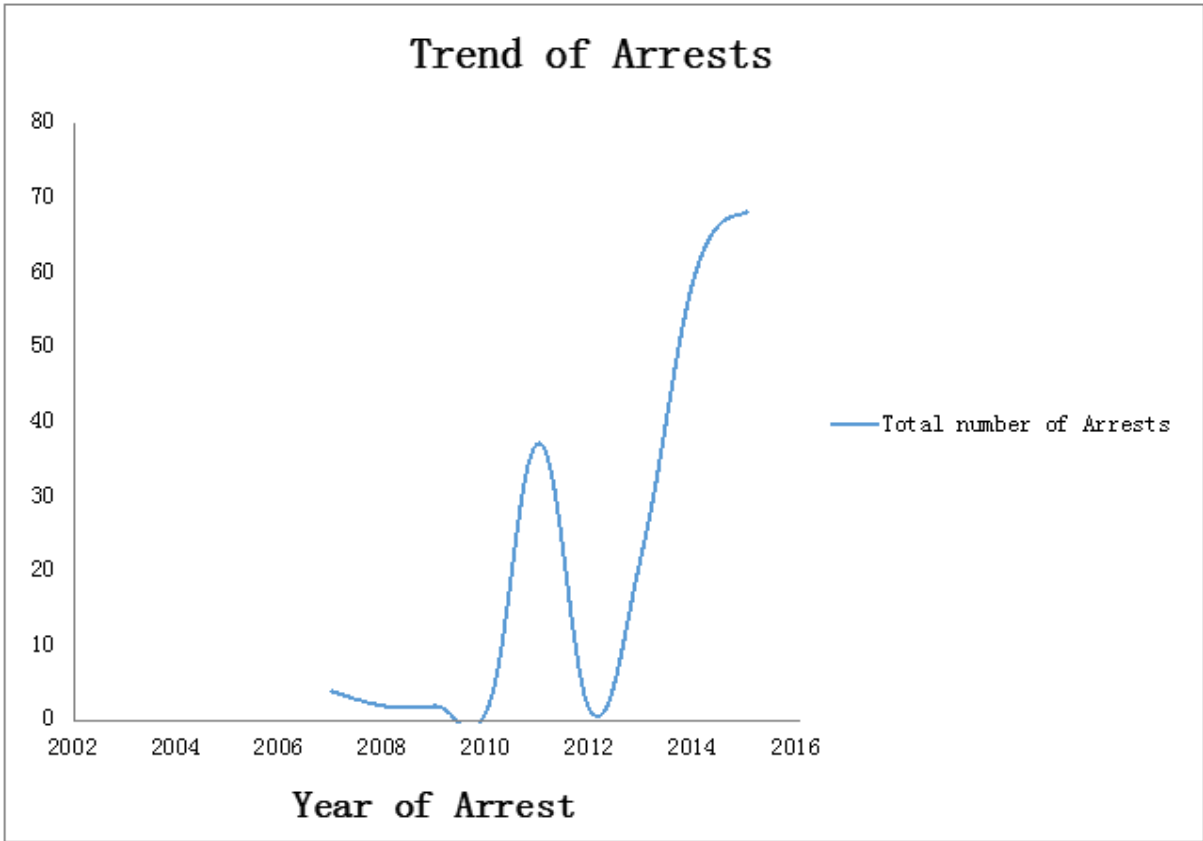


Figure 4 Trend of Arrests from 2007 to 2015

Comparative Analysis by Jurisdiction

Of the 199 arrests, 129 were from the Eastern Command, while the remaining 70 were from the Western Command (Figure 5). The Eastern Command therefore constituted 65% of Arrests while the Western command constituted 35%.

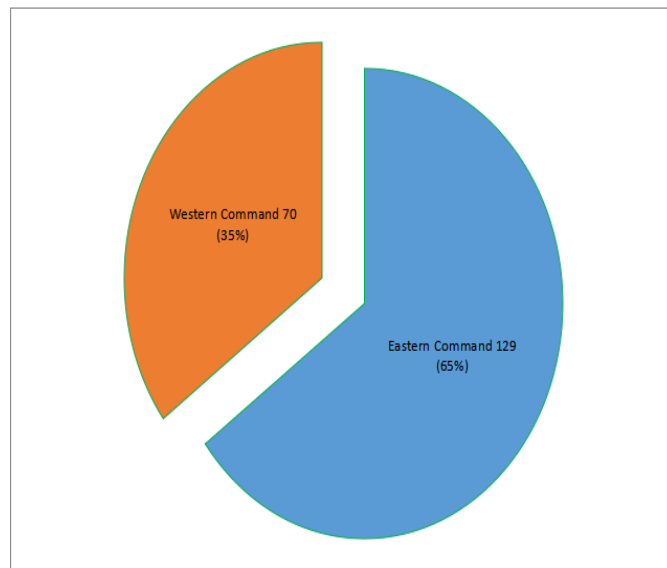


Figure 5 Showing Jurisdictional arrests by number and percentage

Table 12 Status of fines in the Western and Eastern Commands

Year	Western Command Total imposed fines / GH¢	Amount paid / GH¢	Remainder (Western Command)	Eastern Command Total imposed fines / GH¢	Amount paid / GH¢	Remainder (Eastern Command)	Total impose Fine for Western & Eastern	Total amount paid / GH¢	Total Remainder / GH¢
2007	40,100	40,100	0	-	-	-	40,100.00	40,100	0
2008	103,335	103,335	0	-	-	-	103,335.00	103,335	0
2009	32,275	32,275	0	-	-	-	32,275.00	32,275	0
2010	34,830	34,830	0	-	-	-	34,830.00	34,830	0
2011	-	-	-	-	-	-	-	-	-
2012	-	-		3,600	Not specified	-	3,600.00	Not specified	Not specified
2013	389,290	142,500	246,790	3,000,000	Not specified	-	3,389,290.00	Not specified	Not specified
2014	274,818	274,818	0	-	-	-	274,818.00	274,818	0
Between 2014 & 2015	-	-	-	-	2,400,000	-	-	2,400,000	0
2015	178,228 + \$ 800,000	452,400	\$800,000- GH¢274,172	-	-	-	178,228.00 + \$ 800,000	452,400	\$800,000 - GH¢274,172
TOTAL	1,052,876.00 + \$ 800,000	1,080,258.00					4,056,476.00 + \$ 800,000		

CONCLUSION

The available data indicates that a total of GHS **4,056,476.00** + **\$ 800,000** were imposed as fines from the both the in-court and out-of-court settlement cases.

However, the available data also shows that some fines were not paid in full and the remarks in the 2015 table (Table 9) indicates that the Minister of Fisheries accepted in some cases less the amount imposed but there were no information to indicate whether these payments were part-payment or not.

Also the data available do not indicate appeal cases where Fisheries Commission were ordered by the Court to pay damages to victims.