

NORTH EAST ATLANTIC FISHERIES COMMISSION

Report of the EXTRAORDINARY MEETING OF PECCOE 11 April 2005

Grand Hotel, Reykjavík, Iceland

1. Opening

The Chairman opened the meeting at 10:30 at the Grand Hotel Reykjavík Iceland, and welcomed representatives from all Contracting Parties, except Poland, and observers from Canada and the NAFO Secretariat to this extraordinary meeting of PECCOE. A list of participants is given in Annex 1 and the documents issued in Annex 2.

No opening statements were made.

2. Appointment of rapporteur

The Secretariat was appointed rapporteur.

3. Discussion and adoption of the Agenda

The EU representative indicated that he would like to raise some issues under Any Other Business. The Secretariat suggested a demonstration of the new restricted area for inspectors on the NEAFC website and the new NAF websites.

The agenda was adopted.

4. Port State Control Measures

The Chairman asked Norway to introduce Doc. **PE 08/04**, a proposal from Norway for a NEAFC Scheme on Port State Control.

The Norwegian representative referred to the general support at the 23rd Annual Meeting to commence work on establishing a port state control system, based on the FAO model scheme recently adopted by COFI.

Norway had modified the FAO model scheme to meet the requirements of NEAFC. Although the text had not caused major problems, the annexes need considerable amendment. He suggested that the Advisory Group be asked to look at the data formats required. He drew the meeting's attention to earlier work within PECCOE on the Port State Control Form of relevance to this proposal, and to the Port State Control for transhipped fish which was adopted last year.

The EU representative welcomed the Norwegian proposal and agreed that additional work was needed. He did not feel that the discussion could be limited to the annexes and suggested that port state control should be included in the present Scheme rather

than creating a new scheme. Some fundamental questions needed to be answered. What was the scope? Is it aimed at Contracting Parties or only non-Contracting Party vessels? The use of language like “fishery resources” and “foreign vessels” did not fit into the NEAFC set-up well.

The Norwegian representative agreed that more work would also be necessary with respect to the basic texts.

The representative of Denmark (in respect of the Faroe Islands and Greenland) would like to see port state control integrated into the overall NEAFC Scheme and did not see anything that would hinder this. The representative of the Russian Federation echoed these views; port state control should be integrated into the Scheme in operation. The Icelandic representative thanked Norway for its initiative and agreed with other delegations.

The Chairman summed up that we should integrate provision for port state control measures into our present Schemes. He thought that some things in the FAO model were covered already in the Scheme. The question of scope was very important and he suggested that these general points were discussed rather than details in the text. The term “foreign vessels” needed some thought as well. He opened up the floor for comments on the question of scope.

The Norwegian representative acknowledged that scope was not discussed in detail in their paper. However, in an ideal world they would go for a “full package”.

The Chairman suggested that one point of departure would be IUU fishing and Article 5 of the non-Contracting Party scheme, where port state control is already mentioned. The representative of Denmark (in respect of the Faroe Islands and Greenland) believed that there may indeed be room for amendment here, but he drew attention to the fact that, in the context of earlier discussions on the Port Control Form, Contracting Parties had never agreed on the level of port state inspection and how to avoid being accused of discrimination. He did not think it would be possible to solve these questions at this meeting in the time available.

The EU representative pointed out that the term “foreign vessels” would cause particular problems for the EU. The Chairman noted that these were Contracting Party vessels, Contracting Party vessels of a different flag and non-Contracting Party vessels. Contracting Parties would probably have to include the application of the same measures to their own vessels to avoid discrimination.

The Norwegian representative noted that Contracting Parties already have systems in place controlling their own vessels. For some groups of vessels there might even be a higher frequency than what was proposed. Levels of port state control of national vessels should not be bound to NEAFC rules. He thought that the focus should be on the activities of foreign vessels, especially if suspected to be engaged in IUU fishing.

The EU representative responded that then only activities regulated by NEAFC should be controlled but the Norwegian representative thought the scope should be wider than that.

The Chairman felt that the matter of scope needed to be clarified. He stated that this should not only refer to the vessels that might be subject to the measures but also to the measures that would be covered and wondered whether it would be necessary to have a benchmark for Contracting Parties' own vessels.

The representative of Denmark (in respect of the Faroe Islands and Greenland) noted that Contracting Party vessels are regulated by a number of other measures. He would like to see consistency with regulations in the NAFO area as, in many cases, the same vessels operate in both areas.

The Chairman agreed that NAFO rules should be kept in mind. He reiterated that the problem of discrimination of vessels, as a consequence of which port landings are undertaken, had to be addressed

The EU representative noted that it was difficult to proceed further than a philosophical discussion. He asked if a drafting group would improve the chances of reaching an agreed text. The Chairman agreed that at some stage this would be productive. He asked if the meeting could explore the question of what measures referred to - regulated resources or all fisheries resources. This would have a strong bearing on what level of control was adequate.

The Norwegian representative drew attention to the fact that cod is not regulated by NEAFC at all and, indeed, neither are herring and redfish this year. The listed regulated resources might however be a starting point, even though Norway would like to see exchange of landing data also for species that are not regulated by NEAFC.

The EU representative understood the problem, but in some instances the problem simply was that there was no international agreement on allocation. The representative of Denmark (in respect of the Faroe Islands and Greenland) thought that all non-Contracting Party activities should be open for control, simply to establish what a vessel had onboard and its fishing activities. The Icelandic representative agreed. It should be possible to exercise control although no allocations have been agreed in a given year for some regulated resources.

The Chairman summed up that we have lists of regulated species and these are the basis for control and enforcement. Another problem is the lack of conservation measures to control. This reminded him of the discussion in PECCOE with respect to deep-sea species at the time when no conservation measures were in place. He noted that it was not clear from the proposal as to how to follow up on port inspection if there were no conservation rules in place and wondered if this was efficient use of overstretched inspectors.

The Chairman concluded that, after having spoken to delegates during the coffee break, issues on this item have been taken as far as possible at this juncture.

There was general consensus that progress was desirable, but consensus on some general questions was necessary before proceeding to the detailed text. The Chairman suggested that Norway continued work on the text. The EU and others offered assistance in this matter. Cooperation along these lines over the next months would hopefully make it possible for PECCOE to make progress at its meeting in October.

5. Drawing up the B-list

The Chairman went through the formal procedures set out in the non-Contracting Party Scheme for establishing an A-list and a B-list to be recommended to the NEAFC Commission.

The Secretariat reported on their response to questions from some inspection services. The A-list is an annual list, the B-list is permanent, with the Commission having the power to remove vessels from that list.

The Chairman then asked the Secretariat to inform the meeting about the follow up to the A-list vessels.

The Secretariat noted that the vessels on the A-list had been undertaking different types of activity. The flag states of the non-Contracting Party received diplomatic demarches in November 2004. The A-list (Doc PE 08/05 Appendix 1) contains 12 vessels, one from Belize, seven from Dominica, three from Panama, and one from Togo. Of the four flag states (Panama, Togo, Dominica and Belize), only Belize had responded in any detail explaining the special circumstances with respect to the Sunny Lina, flying the flag of Belize, which is a transport vessel that had received transshipment from a NEAFC Contracting Party of a resource NEAFC does not regulate (North-East Arctic Cod). The Secretariat drew attention to the fact that Belize has a record of investigating problems raised with them and reporting back fully.

Based on this information, PECCOE adopted a recommendation establishing a B-list with 11 of the vessels on the A-list, excluding only Sunny Lina from the B-list. PECCOE also recommends that the NEAFC Commission takes a postal vote on this, making it possible to make the list public in 30 days.

6. Articulation of the Work of the "Advisory Group for Data Communications"

The Chairman went through the origins of this group and the need for an overview of what happens with the NAF and improving cooperation between RFMOs and other parties. He also noted that it has been discussed whether FAO should be the repository of the format. The 23rd Annual Meeting of the NEAFC Commission had adopted a recommendation establishing the Group as a NEAFC Group open to other organisations.

He referred to the role of the disbanded Ad Hoc Working Group on Computerisation. He suggested that, in future, it would be more productive for the Advisory Group for Data Communications (AGDC) to meet after PECCOE. This would allow PECCOE to initiate a process and then let the AGDC consider it before the Commission took any decision. This had also to be discussed in STACTIC. He expected that there would be one annual meeting but dealing with problems would also be possible by other means.

The Secretariat reported on deliberations in the FAO body, the Coordinating Working Party on Fishery Statistics, CWP. The Chairman of the AGDC, Mr. Gylfi Geirsson, Iceland, informed that he would table a letter from CWP at the AGDC meeting tomorrow. He saw ADGC as a tool for PECCOE and NEAFC and other organisations could make use of it.

7. Outstanding Matters

- **Conversion factors**

The representative of Denmark (in respect of the Faroe Islands and Greenland) reported that not much had happened with respect to conversion factors. Last year Denmark had published conversion factors for oceanic redfish, but no other party had followed suit. He doubted that it was worth keeping this item on the agenda. He suggested that the redfish conversion factors should be made public with a view to transparency.

The Chairman felt that, given the difficulties in establishing common agreed factors, he would support the proposal to make conversion factors used in the oceanic redfish fisheries public. The EU representative supported the suggestion that these factors be published on the NEAFC website. The representative of Denmark (in respect of the Faroe Islands and Greenland) thought this was an excellent idea and will give inspectors easy access to these data. Iceland questioned why this should only be done for redfish? The Chairman accepted this, but suggested that only regulated species were dealt with now, excluding deep-sea species for the time being. The representative of Denmark (in respect of the Faroe Islands and Greenland) pointed out that much of this information was already available at the Secretariat from earlier reviews.

It was then agreed that the Secretariat would circulate the information it has on conversion factors for comments and updating by Contracting Parties. Eventually this information will be published on the restricted area for inspectors on the NEAFC website. PECCOE could look at the first results of the exercise at its October meeting.

- **Lost and abandoned gear in the Convention Area**

The Secretariat presented information on progress in the Deepnet project.

The Norwegian representative said that the Deepnet project took place outside the NEAFC context, but Norway had offered to support a programme for retrieving lost or abandoned gear west of the British Isles and Ireland and on the Hatton Bank. This had also been discussed bilaterally between Norway and the EU.

The EU referred to other programmes i.e. aiming at quantifying the problem.

The Chairman noted that there is still lack of information on the extent of the problem, but took note of the ongoing projects. Before the results were available it would be difficult for PECCOE to discuss this topic any further.

The EU representative doubted that this was a proper item to keep on the agenda of PECCOE and queried whether it was a control and enforcement issue at all.

The representative of Denmark (in respect of the Faroe Islands and Greenland) felt that the reporting of lost gear was a control issue. The Chairman suggested that the marking of gear was also a control issue. Lack of reporting or notifying lost gear could be an infringement if the tagged gear was retrieved.

The representative of Denmark (in respect of the Faroe Islands and Greenland) referred to Article 6 of the Scheme and rules from other conventions on how to mark gear.

Article 6 had been drawn up based on the earlier conventions¹. The origins of Article 6 should be tracked for consideration by Contracting Parties. The Chairman stressed that this was a conservation issue as well, but he agreed that either there should be progress on the issue or it should be dropped.

It was agreed to ask the Secretariat to draft a background note for consideration at the October 2005 PECCOE meeting.

8. Any other business

The Secretariat demonstrated the new restricted area for inspectors on the NEAFC website. The new service consists of two different elements. One, inside the Scheme, allows inspectors to query the database with respect to notifications and authorisations. The other, outside the Scheme, allows inspectors to report on inspections to the site, thus making information available to other inspection services.

There was general support for this development. Some parties felt that communication over the internet is preferable to the system for automatic downloading of data from the database to inspection services and FMCs that has been in operation since the Scheme began. It was also suggested that graphics should be minimised to make communication easier. The Icelandic representative strongly supported the development, but did not want to change the way the database automatically gave information to FMCs and inspection services. He noted that the problem of updating information on inspections has already been raised several times.

The EU representative informed that he intended to submit text well before the next meeting to clean up some language in the present Scheme which had caused problems for the EU.

The Icelandic representative wanted to discuss the current situation with respect to catch statistics. There is a demand for up to date catch statistics in Iceland and the situation for receiving data is not satisfactory. He suggested that catch statistics should be reported in the same way as suggested for inspection data on the restricted area for inspectors, via an interactive restricted area on the NEAFC website. This could be based on Article 8 of the Scheme. Iceland intended to make a concrete proposal to the next PECCOE meeting.

The Secretariat noted that recommendations on statistics need not be based on Article 8 of the Scheme, but can be dealt with outside the Scheme directly based on Article 9 of the Convention.²

¹ The 1967 NEAFC Convention

² **ARTICLE 9**

1. The Commission may by a qualified majority make recommendations providing for the collection of statistical information relating to fisheries conducted beyond areas under the fisheries jurisdiction of Contracting Parties.

2. The Commission may also make recommendations providing for the collection of statistical information relating to fisheries conducted within an area under the fisheries jurisdiction of a Contracting Party, provided that the recommendation receives the affirmative vote of that Contracting Party.

The Icelandic representative reported on the pilot project under Article 11 and invited other parties to take part in the inspections. Iceland will report results of the pilot project in October. The Chairman noted that inspection by other Contracting Parties would be a real test for the project and would help Iceland to make a meaningful report. Iceland pointed out that, not only is there the problem of communication between inspection platforms, but also between inspectors.

The Icelandic representative informed that Iceland will continue surveillance with air and vessel platforms in the Regulatory Area.

The EU representative informed that Sweden, Denmark and Netherlands would have an inspection presence with respect to fisheries for the smaller pelagics, Germany, France and Spain for redfish. The UK will undertake NEAFC inspection duties to the west of Rockall, mainly on deep-sea species and the closed area for haddock. Timetables for inspection presence had been developed inside the EU. The Chairman noted that this should make it possible to contribute to the pilot project.

9. Date and place of the next meeting

Meeting dates in London in October had been agreed but the Advisory Group will be changed the 13 October and PECCOE to 11-12 October.

10. Closure of the meeting

The Chairman closed the meeting. The AGDC meeting will meet on 12 April at 10 am.



ANNEX A - LIST OF PARTICIPANTS

Chair: **Martin Newman**

Secretariat

Hoydal, Kjartan

Neves, João

Partridge, Kate

Denmark (in respect of the Faroe Islands and Greenland)

Arendt, Nicolai Peter - Greenland

Joensen, Símun - Faroe Islands

Kruse, Martin - Faroe Islands

Nedergaard, Mads - Greenland

Estonia

Martin, Kaire

Ulla, Indrek

European Union

Brugge, Willem - EC

Gråberg, Lars - EC

Mesquita, José - EC

Nolan, Fergal - EC

Batista, Emilia - Portugal

Bogelius, Anders – Sweden

Eliassen, Jorgen – Denmark

Drunka, Guntis - Latvia

Galbraith, Philip – UK

Mariel, Nicolas – France

Martinez, Monica – Spain

Nalty, Chris – Ireland

Ralph, Cephas – UK

Rios, Manuel – Spain

Southard, Emma - UK

Vonk, Harry – Netherlands

Iceland

Daðason, Guðmundur

Freyr Helgason, Kristján

Geirsson, Gylfi

Skarphedinsson Ketilsson

Sigurður Steinar

Kristjánsdóttir, Guðríður
Lund, Thorben
Sæmundsson, Hjalti
Sigurdadóttir, Dagmar
Sigurrós Valgeirsdóttir, Helga
Steinarsson, Höskuldur

Norway

Bakke, Gunnstein
Fasmer, Ellen
Johnsen, Stein Åge

Poland

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Russian Federation

Agalakov, Vadim
Latyshev, Pavel
Povalukhin, Igor

Observers

NAFO - Kerr, Cindy and Federizon, Ricardo

International Affairs for Fisheries & Oceans, Canada – Steinbock, Bob

ANNEX B**LIST OF DOCUMENTS**

Document	Agenda item	Document title
PE 08/00	-	List of documents
PE 08/01	-	Draft agenda
PE 08/02	-	List of participants
PE 08/03	4	FAO Port State measures to combat IUU fishing
PE 08/04	4	Proposal by Norway for model scheme to combat IUU fishing
PE 08/05	5	'A' list