



**NEAFC**  
**PERMANENT COMMITTEE ON CONTROL AND  
ENFORCEMENT**

**26-27 April 2010, London**

**REPORT**

**1. Opening**

As the Chair, Mr Martin Newman, resigned in April 2010, as he has taken up another appointment, the Vice Chair, Mr Mads Nedergaard (the representative of Denmark (in respect of the Faroe Islands and Greenland), opened the meeting welcoming everybody. He volunteered to lead the discussions until a new Chair was elected. All Contracting Parties were present. No Party wished to make an opening statement.

**2. Appointment of the rapporteur**

The Secretariat was appointed rapporteur

**3. Election of Chair and Vice Chair**

The Vice Chair suggested a Heads of Delegations meeting later in the day to discuss this matter. This was supported by the Icelandic and the EU representatives. It was agreed that the HOD meeting would take place after lunch.

The meeting was resumed at 2:40 pm. The Vice Chair announced that it had been agreed to elect Mr Gylfi Geirsson, Iceland, as Chair and Mr Jacques Verborgh, EU, as the new Vice Chair. The new Chair noted that he and the Vice Chair had been in this business for 12 years. He would do his best to continue the good work of the Committee. He wanted to send thanks and appreciation to the outgoing Chair Mr Newman, who had been outstanding, always willing to listen to all points of view. He also thanked Mads Nedergaard for chairing the first part of the meeting.

**4. Discussion and adoption of the Agenda**

The agenda, PECCOE 2010/01/01, was tabled. The EU representative proposed a new agenda item "Coordination of Inspection and Surveillance Activities". It was agreed to include this as new agenda item 7. The agenda was adopted as amended.

## **5. Scheme of Control and Enforcement - Implementation evaluation**

### **5.1 Overall evaluation**

#### **5.1.1 Implementation review by the Secretariat**

The Chair invited the Secretariat to present PECCOE 2010/01/15, the implementation and compliance report. This year, at the request of Contracting Parties, more detailed information has been compiled on the performance of reporting from vessels via FMCs to the NEAFC database. This suggests that quality control is needed in the system.

The Icelandic representative found that this is very much the same story as in previous years. The systems seem to go backwards rather than forwards. He referred to the discussion paper in October last year and felt nothing seems to change.

The Chair asked if the only improvement in the system was the movement towards HTTPS. The Secretariat responded that it seems that some FMCs rely too much on IT providers rather than detailed knowledge of the Scheme and its requirements. The EU representative thanked the Secretariat for the paper which was informative about the state of reporting. He suggested that quantities should be included in the tables, for example percentages of messages going wrong. He also asked if there were problems with the North Atlantic Format. The Secretariat informed that syntax errors occurred in some FMCs and that performance of individual FMCs could change quite dramatically, but he was sure that syntax errors were not a major problem. The Norwegian representative would not like to see more reports from the Secretariat but a larger effort from the Contracting Parties to become compliant on reporting. The EU representative had not proposed that more should be reported, but that the Secretariat produced more statistics.

The Chair asked how to proceed. Was there a need to do something to the COX, COE, and CAT messages which are not computer generated on board or will this be amended by the introduction of electronic logbooks? The Icelandic representative did not expect electronic logbooks to solve these problems in the short term. He, therefore, thought errors should be corrected immediately. The EU representative expected that it would take some time to bring electronic logbooks up to speed. The representative of the Russian Federation noted that only two countries sent Port of Landing messages.

The EU representative asked about the information that the EU uses geographical areas not foreseen in the Scheme. The Icelandic representative noted that the Scheme calls for reporting of REP and JUR by ICES areas and Contracting Parties. The Secretariat informed that this is a consequence of changes in procedures made last year. He would discuss the problem further with the EU representative.

The Chair invited the Secretariat to introduce PECCOE 2010/01/16. The Secretariat informed that this is the first attempt to play a more proactive role, following up on major issues and helping FMCs to identify problems. This will probably be the format of reporting in the future.

The Chair concluded that this was a helpful document which Contracting Parties could digest and possibly comment on to the Secretariat.

#### **5.1.2 Annual reports by Contracting Parties under Art. 32 & 33**

The Chair invited the Icelandic representative to introduce PECCOE 2010/01/03. Fifteen vessels had been inspected and eight infringements had been cited. Most infringements relate to problems with COE and CAT reports. There had been no sighting of IUU vessels. The reason for the lower numbers of flights is a change to a new aircraft, which will allow increased surveillance in future. This year the Icelandic representative will concentrate on vessel inspections. The Secretariat asked about the Starlette III for their overall report.

The Norwegian representative introduced PECCOE 2010/01/05. The Nordstar incident had been investigated. The vessel had received a written warning. No infringement or non-CP activities had been detected.

Denmark- Greenland had no inspection activity in international waters in 2009.

The representative of the Russian Federation introduced PECCOE 2010/01/10. The representative of the Russian Federation had inspected the redfish fishery in the Norwegian Sea. Six vessels had been inspected and one infringement cited.

PECCOE 2010/01/11 was introduced by the EU representative. He stressed that original inspection reports had to be submitted by the inspecting party to allow the investigation to go forward. The EU representative had not made any observations of non-CP activity. The Icelandic representative asked for an explanation of the text, "Concluded Vessel sent the electronic reports by e-mail to FMC and they were forwarded to NEAFC Secretary but due to a failure system these messages were not available to Icelandic Coast Guard Inspectors in the NEAFC database". The Secretariat informed that there had been a syntax problem in some messages from EU-Spain, and they were refused by the NEAFC database. The problem had been fixed in September. The Icelandic representative noted that this should have been automatically reported to Spain, which should then have corrected the messages and resent them.

The representative of the Russian Federation drew attention to one Russian vessel reported by the EU, Sergey Makarevich, and one reported by Iceland, the Orlikh. The cases had been investigated. It was agreed that this information should be included in the Secretariat's overall report.

Denmark - Faroes had inspected 13 vessels in the Irminger Sea and no infringements were cited.

The EU representative called for more up to date reporting of inspections presence and inspections. This information should be on the NEAFC website for the use of all Contracting Parties. This would be very useful and potentially increase the efficiency of surveillance and inspections.

### **5.1.3 Evaluation of the Redfish fisheries special control measures**

The Chair noted that there was no working paper on this for 2010. The Secretariat informed that the situation was somewhat different this year, because there had been objections to the measures. It was agreed to ask the Secretariat to prepare a table for 2010. This will cover the first 3 weeks of the fishery this year.

The Chair invited the Secretariat to introduce PECCOE 2010/01/25 which summarises the presence of vessels and reported catches for the redfish fishery in the Irminger Sea for the first 3 weeks of April 2010.

The Icelandic representative wanted clarification about the situation with respect to EU vessels and referred to a letter stating that the EU would abide by the 2009 measures. He wanted to know if this could perhaps be confusing for inspectors. He asked about the information available on the NEAFC website on national measures. He did not find it satisfactory only to put HODs letters on the website. It would be more helpful to have access to which vessels were authorised and updated information on presence and uptake. The EU representative informed that that their vessels would abide by the 2009 measures fully. The Secretariat informed that it was possible to check whether vessels are authorised, but there was no obligation to report individual quotas for vessels. The Icelandic representative noted that there had been letters on quotas from all Contracting Parties except the EU.

The Chair trusted that inspectors were aware of the two sets of measures, one for the EU and one for the others. The main difference is the quota restrictions.

The EU representative clarified that EU inspectors followed EU regulations, when inspecting EU vessels and applied the Scheme when inspecting other CP fishing vessels.

## **5.2 Port State Control**

### **5.2.1 Overall evaluation**

### **5.2.2 Digitalisation of forms PSC1 and PSC2**

The Chair invited the Secretariat to make a presentation on the overall evaluation of Port State Control Reporting. The Secretariat noted that the number of landings processed was slightly lower in 2009 than the year before, but an average of 1400 landings annually seems to be the norm. She explained the handling of data in the Secretariat and progress with respect to analysing data and reporting electronically. The electronic PSC forms in their present form were introduced.

The EU representative asked if there was an automatic e-mail system connected to the system. The Secretariat said this was the case and the e-mails were triggered by the workflow.

The Chair thanked the Secretariat. He suggested it would be useful to make a flow diagram of who is doing what in the system. The Secretariat responded that, according to the Scheme, the process had to be started by the vessel or its agent. The Chair summed up that as each step is concluded it triggers e-mails to the relevant people until the final answer, acceptance or denial of landings, comes back to the vessel.

The representative of Denmark (in respect of the Faroe Islands and Greenland) asked how the cancellation procedure works. The Secretariat informed that cancellations can only be made by the master or his agent up to the final acceptance of the port state. The Scheme text is not clear about who else can cancel. The EU representative asked how the access of vessels would be regulated. The Secretariat said that this would be by usernames and passwords and other security measures (type letters you see). It is difficult to predict who will actually fill in forms so there will be a number of different options. The EU representative asked about the definition of the digitalised forms and if changes in the Scheme were necessary. The Secretariat had assumed that Contracting Parties would authorise the operators that entered the system. It was not possible to predict how the operators would use the system. Training would be needed. The EU representative found it necessary to specify a date for allowing electronic forms and some legal definitions and if connection problems would be a problem. One solution was to send an e-mail and the form could be submitted to land and sent from there. There could also be break downs so the old system had to be kept as default.

The EU representative expected that fishermen would want to send catch messages in the same way. The Chair reminded participants that in the Icelandic discussion paper last year it was suggested that a small group went carefully through the reporting system, which was virtually unchanged since its inception in 1999. The EU representative called for the consistent use of terminology in the Scheme for all elements in the process.

The representative of Denmark (in respect of the Faroe Islands and Greenland) thought that it should be straightforward to use the electronic forms, there was no need for extended training. EU-Denmark pointed out that could be a need to correct administrative errors so there should be options for the authorities to cancel also. The EU representative asked if there was a need to run a pilot exercise before introducing the system full-scale. The Chair did not see the need for that if the system was well advertised. The Secretariat reminded of earlier discussions on security and responsibility for break downs. Advice should be sought from the AGDC or Contracting Parties on this matter. The EU representative asked if there was a problem with parties not being ready at the same time to use electronic forms.

The Chair asked when the form would be ready for use. The Secretariat indicated possibly July; however, there are still some outstanding problems that had to be sorted out, but these should be solved by the beginning of August. There would be time for Contracting Parties to test the system in the latter half of the year. This should make it possible to start the system on 1 January 2011.

The representative of Denmark (in respect of the Faroe Islands and Greenland) asked why it was necessary to authorise masters or agents. They were not authorised at present. The Chair referred to the confidentiality requirements in Annex V. They would probably also apply to this part of the Scheme.

The Chair noted that it had not been decided who should have access to the electronic system, if it was necessary to have a pilot project and when the system should enter

fully into force. Norway, EU-Scotland and Iceland were ready to participate in a pilot project.

The Secretariat will inform Contracting Parties when the system is ready for testing, probably during the summer. It will be possible for other FMCs to join the pilot project. This would make it possible to report on progress to the October PECCOE meeting.

The EU representative felt it was necessary to have a proposal for the 29<sup>th</sup> Annual Meeting on when the electronic system should enter into force. Other changes may also have to be proposed to the Annual Meeting. The representative of Denmark (in respect of the Faroe Islands and Greenland) pointed out that there had to be a transitional period where both the old and the new system would be running. The Secretariat said that the October meeting had to decide on liability, security and other matters with a view to proposing changes to the Scheme.

### **5.3 Non-Contracting Party activities**

#### **5.3.1 Evaluation of presence and activities in the RA**

There were no sightings last year. The Chair refrained from making the conclusion that we have eliminated NCP activity in the North-East Atlantic. The Icelandic representative felt very happy that IUU activity had been eliminated because of good cooperation between Contracting Parties, but he was very unhappy that Contracting Parties did not comply with the rules.

### **5.4 Cooperative NCP status**

#### **5.4.1 Application for, and confirmation of Cooperative NCP status**

The Cook Islands and St. Kitts and Nevis had indicated that they would like to submit an application after the last Annual Meeting. NEAFC has not received any communication from the two Parties.

### **5.5 IUU activities**

#### **5.5.1 Annual reports by Contracting Parties under Art. 43**

The EU was the only Contracting Party that had anything to report under this agenda item. Eros Dos (ex-Furobolos), Panama, has been retained in the Spanish Port of Ribeira since 9 February. The Norwegian representative found it strange that this vessel dared to enter a NEAFC port and asked if there was additional information on, for example, ownership. The EU representative informed that the vessel had entered port under a new name and the information on the vessel had been forwarded to NEAFC in an inspection report. The Icelandic representative noted that the vessel should not have been allowed to enter the port in the first place. In Iceland IUU vessels are listed in the database which then flags that this is an IUU vessel when it applies for entry to port.

The Chair stressed the need to inform all relevant authorities about IUU vessels. No authority was interested to get these vessels stuck in their ports.

### **5.5.2 Review of IUU A and B lists**

The B-list adopted at the Annual Meeting was circulated.

The Chair noted that there are no vessels on the A-list. The Chair invited the Norwegian representative to introduce PECCOE 2010/01/12. The Norwegian representative drew attention to the change in 44,4 f, which allows the delisting of vessels that, for example, are scrapped. The paper presents the documentation that a particular vessel, the Nemanskiy, has been scrapped. The Norwegian representative assured the meeting that this vessel could not reappear in any form as a fishing vessel. It was agreed to accept the documentation and to propose to the Commission that the vessel was removed from the B-list. The Icelandic representative complimented the Norwegian representative on a job well done, which would serve as a model for further cases of this type.

The Chair then invited the Norwegian representative to introduce PECCOE 2010/01/21, which proposes that Nikolay Chudrovets is retained on the B-list. The Norwegian representative reminded PECCOE of the history of the vessel, originally put on the B-list, flagged to Honduras. After the vessel entered the Norwegian port of Kristiansund in 2006 it was treated according to NEAFC rules and had been stuck in the port since. In 2007, when in a Norwegian port, the vessel acquired a Russian flag. At the 28<sup>th</sup> Annual Meeting it was agreed that the vessel could be removed from the B-list on the information that the vessel had changed ownership and would not be used as a fishing vessel in the future. The Norwegian representative concluded that this was an invalid decision under Article 44,4 f, because the conditions for the delisting had not been met.

The representative of the Russian Federation did not see the delisting as based on Article 44,4 f. The vessel had acquired a Russian flag in 2007, but had not been granted a fishing licence and had not engaged in IUU activities under the Russian Federation flag. The Article to refer to was 44,4 c not f. The information given at the Annual Meeting was correct at the time. Vessels of Contracting Parties should not be on the B-list anyway.

The Chair summed up that the question was whether the information given in PECCOE 2010/01/22 could be relied on. The Norwegian representative noted that this letter was from the agent of the vessel in Norway. He also noted that the letter confirmed that the deal with the vessel discussed in November 2009 was not going forward. The whole problem started when the vessel acquired a CP flag. The Scheme does not offer a solution, but there had been agreement to allow the use of 44,4 f in the NCP chapter of the Scheme.

The representative of the Russian Federation noted that the vessel had not engaged in IUU activity as a Russian vessel. It was an error that the vessel had acquired a Russian Federation flag, but this was the situation.

The Chair proposed that Contracting Parties considered the matter further and came back to the item later.

The Chair pointed out that the question of the status of the Nikolay Chudrovets was still open. He briefly repeated the information presented yesterday. The representative

of Denmark (in respect of the Faroe Islands and Greenland) noted the mistakes that had been made in dealing with this vessel. He did not think that the vessel could be on the B-list as a Contracting Party vessel. The representative of the Russian Federation said that the vessel had been delisted and he did not see any reason to put it back. He had the impression that there had been agreement at the Annual Meeting to delist the vessel. The EU representative understood the background, but thought that the only way forward was to refer the matter back to the Commission. The Norwegian representative thought that this was choosing the easy option. PECCOE had discussed the matter and recommended delisting. This was a question of principal for NEAFC and could have dire consequences, opening up the possibility of bringing IUU vessels back into operation. This implies that the matter cannot wait for the Annual Meeting.

The Chair asked if PECCOE would revisit this issue and recommend to the Commission to put the vessel back on the list. The representative of the Russian Federation pointed out that vessels of Contracting Parties should not be on the B-list.

The Chair said that the point is that the vessel was taken off the list on the condition that certain criteria were fulfilled. PECCOE could recommend to the Commission that the vessel should be put back on the B-list or just draw the attention of the Commission to the fact that the criteria had not been met. He asked the Norwegian representative to refresh the Committee's memory on how the case had been handled. The Norwegian representative did so and pointed out that the Commission's decision had been based on a recommendation from PECCOE. The representative of the Russian Federation referred to the information provided by them at the Annual Meeting. The EU representative pointed out that one wrong decision should not have been followed by another. PECCOE cannot recommend that Contracting Party vessels are put on the B-list.

The Chair thought that PECCOE must at least make the Commission aware of the fact that the criteria on which the delisting was based had not been met. The Norwegian representative agreed.

The EU representative did not agree that PECCOE should inform that Commission specifically. He would like to reflect further and come back to the item.

The Chair invited the Norwegian representative to comment. The Norwegian representative considered this an unfortunate business. PECCOE should at least inform the Commission about this vital information disclosed to NEAFC. He suggested that the Secretariat put together factual information, which is attached as an annex, and circulate this information during the next week to PECCOE with a view to informing Heads about the issue. This was agreed.

## **6 Annual Meeting issues referred to PECCOE**

### **6.1 Implications for the Scheme of FAO Port State Control instrument**

The Chair invited the Norwegian representative to introduce PECCOE 2010/01/13. He referred to the terms of reference from the last Annual Meeting. It had turned out to be a much bigger exercise than expected. This was not a Norwegian proposal, but a working document starting the process in NEAFC. The FAO scheme covered much more than the NEAFC Scheme. There was also a difference in terminology. He did

not want at this stage to go into detail, but there was a lot more that had to be done. He proposed that a group of representatives from all Contracting Parties would work on the document inter-sessionally and have a more final document for the autumn meeting of PECCOE. He would nominate a Norwegian representative to the group and hoped other Contracting Parties would do the same, before the end of the meeting.

The Chair observed that the FAO scheme in some respects did not go as far as the NEAFC PSC. He hoped that this did not mean that, for example, the flag state verification had to be given up. The Norwegian representative thought that aligning with the FAO Scheme would incur costs. The Chair did not see why NEAFC could not go further than the FAO requirements. The representative of Denmark (in respect of the Faroe Islands and Greenland) was impressed by the document and would like to congratulate the Norwegian representative. He considered that the NEAFC system has been a success and would not be watered down.

The Norwegian representative pointed out that there were also implications for electronic communication. He noted that other PECCOE mandates present may also affect the Scheme. The EU representative congratulated the Norwegian representative. He would like to reflect on the proposal to set up an inter-sessional group to look at the working document. He saw a danger that implementation of the FAO rules along with NEAFC and NAFO rules could lead to duplication and triplication. He asked about the scope of the FAO Scheme geographically and with respect to fish products. The Norwegian representative said that he had not mentioned NAFO in the FAO context but in the context of possible further harmonisation between the two organisations. He did not think it was right for him to present an executive summary of the document. Questions had to be discussed between the Contracting Parties in the process of going through the document in detail.

The Chair asked if the Norwegian representative, in preparing the document, had noted whether there were FAO requirements that were lacking in the NEAFC Scheme. Was it just a question of wording or were there fundamental changes? The Norwegian representative thought that the scope was much wider in the FAO Scheme, all fish from all areas. The working document shows what changes are necessary if NEAFC wants to take all FAO requirements into the Scheme in places where FAO goes further than NEAFC. The representative of Denmark (in respect of the Faroe Islands and Greenland) noted that the FAO rules had to be implemented in domestic law anyway. The Secretariat noted that some parts in the FAO Scheme assumed that there was no information about vessels. This was different in NEAFC.

The Norwegian document shows clearly what is taken out and what is set in. The Norwegian representative would like to start the process immediately and asked other Parties to offer names for an inter-sessional group. The EU representative informed that coordination was necessary before he could respond.

There was a suggestion to form an intersessional working group that could communicate electronically to discuss the Norwegian working document. The EU had discussed the matter. The legal situation in the EU is complex and runs on several levels. The EU will endeavour to present its own paper in time for the autumn meeting. The Chair asked if this was acceptable. He assumed that the paper would be

available well before the October meeting, allowing other parties to study the paper together with the Norwegian document.

### **6.2 Consolidation of management measures currently in force**

The Secretariat presented model binder and dividers to be used as a NEAFC Scheme bible. He asked delegations to indicate the numbers of binders needed. The representative of Denmark (in respect of the Faroe Islands and Greenland) asked if it was possible to have the folder in A5. The Secretariat pointed out that printing A5 from the website could be a problem. The representative of Denmark (in respect of the Faroe Islands and Greenland) thought the initiative was excellent, but would like to have an A5 option. The website will contain printable versions of measures in force. He accepted that it would not be good for NEAFC CO<sub>2</sub> footprint to ship large amounts of paper versions around. The Icelandic representative pointed out that not all printers necessarily could print in A5.

The format of the binder had not been decided. The EU representative preferred A4 as did the Icelandic representative. The representative of Denmark (in respect of the Faroe Islands and Greenland) felt that that A5 would be preferable to inspectors.

It was agreed that Contracting Parties will indicate to the Secretariat how many binders they want and in which format.

### **6.3 Implication for the Scheme of the use of electronic logbooks**

The Norwegian representative introduced PECCOE 2010/01/21 on electronic logbooks and the Scheme. He referred to the mandate from the Annual Meeting. The task is threefold: first, identify the Articles in the Scheme that will be affected. Secondly, consider the reporting system as a whole. Thirdly, create clear procedures for correction and cancellations. The document is not a Norwegian proposal, but it outlines electronic reporting as handled, pointing out relevant issues and articles and annexes in the NEAFC Scheme. It should, like the other Norwegian working document, be a starting point for discussion and the same procedure with intersessional work should be adopted. The Norwegian representative made a power point presentation of the document. He proposed using PECCOE to set standards for electronic reporting, which is discussed in many countries at present.

The Chair thanked the Norwegian representative and asked if their system allowed for filtering out information not required by NEAFC. The Norwegian representative responded that the system in the Norwegian FMC will not forward reports not required in the Scheme. He mentioned the problem that paper logbooks would not be available for other inspecting parties, when inspecting the vessel at sea. The representative of Denmark (in respect of the Faroe Islands and Greenland) congratulated the Norwegian representative once again on the good working document. Greenland is in the process of introducing electronic logbooks. This would certainly improve reporting to NEAFC. The EU representative thanked Norway for the document and would take a closer look at it.

The Chair noted the importance of using the same reporting format, in this case NAF. He asked if the EU also used NAF. The EU representative informed that XML was used. The Norwegian representative informed that NAF was used for reporting from vessels. The Chair wanted to avoid a multitude of reporting formats. The

representative of Denmark (in respect of the Faroe Islands and Greenland) pointed out that the problem of using other formats in addition to NAF was perhaps not so important anymore, but we still needed a guardian angle for all codes used. The representative of Denmark (in respect of the Faroe Islands and Greenland) asked about the reporting of daily catches before the end of the day.

The Secretariat pointed out that NAF involved smaller amount of information and could be cheaper. The representative of Denmark (in respect of the Faroe Islands and Greenland) did not think that costs were a real issue. He noted that the daily catch report should be discussed, especially reporting by fishing operation. ICES had pointed out that this was necessary for scientific use. The Chair acknowledged the progress in communication technology. Cost may not be that much of an issue today.

The EU wanted to avoid confusing two issues. The electronic logbook could satisfy NEAFC requirements without changing the Scheme. It is another issue if we want to change reporting to NEAFC more generally. The representative of Denmark (in respect of the Faroe Islands and Greenland) asked if there was an agreement on standards between Norway and the EU. The Norwegian representative responded that they had agreed on what information should be exchanged and the methods for exchange of information as XML files using web services.

The EU representative felt that this is very early days, especially in the Regulatory Area. Experience is limited. He thought that it was too early to start an exercise to evaluate the impacts of these logbooks on the NEAFC Scheme. He felt that there had perhaps been too much optimism when electronic logbooks were launched and more experience was needed.

The Norwegian representative pointed out that the Scheme already allowed for the use of electronic logbooks, so we do not have a lot of time. The EU representative assumed that there was no change in the reporting requirements, whichever type of logbook was used. The Icelandic representative pointed to the need for harmonisation between NAFO and NEAFC. The Chair accepted that this had been and should be attempted. He understood that the logbook referred to in the Scheme was not a full electronic reporting system. The Norwegian representative pointed out that, as we are able to use electronic logbooks in any form, we also have to look at the Scheme. The EU representative accepted that, but wanted more experience before addressing the matter.

The Chair trusted that any electronic logbook accepted in the Regulatory Area included all the requirements of the Scheme. The Icelandic representative did not see much difference between a paper logbook and a simple electronic logbook. The EU representative pointed out that bilateral cooperation would deliver the first building blocks and this could be used as basis for progress in NEAFC.

The Chair said it was important to ensure that NEAFC requirements are included. The representative of Denmark (in respect of the Faroe Islands and Greenland) stressed the need for harmonisation between NAFO and NEAFC and between NEAFC Contracting Parties. He would have preferred that this process had started in NEAFC in a common approach. This is a major task. The process has started but he hoped that there would be room for improvements and exchange of ideas between

Contracting Parties. Greenland as a small agency would have to shop for IT solutions and find out what others have done but he hoped that harmonisation and openness would be found in the process.

The EU representative thought that there was a level of harmonisation already as seen in NAF and the cooperation with NAFO. All Contracting Parties have to comply with the NEAFC Scheme in the Regulatory Area.

The Chair suggested that AGDC was asked to look into the matter at its next meeting, especially to consider the harmonisation of reporting. The EU representative supported this. The Chair saw a task for the AGDC in following the various logbook systems in progress and their alignment with NEAFC rules. The Norwegian representative pointed out this was a complex issue with legal ramifications. He was not sure that AGDC could cover all aspects. AGDC should give advice on how to exchange information. The Chair said that the AGDC only gives advice to PECCOE, but does not decide. He thought that AGDC could move some issues forward.

The item will be revisited in October and more guidance can be given to the AGDC.

#### **6.4 Control aspects of a proposed closure on the NW Rockall Bank**

There was no new information on this issue.

The Chair read out the terms of reference from the Annual Meeting. The EU had looked into the matter and concluded that monitoring the proposed change in the closure would demand increased VMS frequency and would not be very cost effective. The Chair asked what that frequency would be. The EU representative indicated 15 minutes would be appropriate. The representative of the Russian Federation asked for reasons for going from 1 hour to 15 minutes. The changes in the area were not major. The EU representative responded that in small areas there had to be more detailed reporting. The representative of the Russian Federation thought that the question was if it was possible to monitor the area properly and that was possible with reporting every hour. The Chair noted that these were rather divergent views. The EU representative informed that it based its conclusion on regular patrolling in the Area. The Chair asked if there was a need for more time to consider the matter and proposed that the issue was reviewed by Contracting Parties and dealt with in October. This was agreed.

### **7 Coordination of surveillance and inspection activities**

The EU representative proposed exploring whether there was an interest in better coordination of inspection activities between Contracting Parties, allowing for a risk based inspection.

The Chair reminded that this had been discussed at a meeting of European Coast Guards recently. He noted that the EU had submitted their schedule of inspections and that had been helpful. The Icelandic representative suggested that we should solve problems from the past before reaching for the future. The Norwegian representative observed that the Norwegian Coast Guard has over the last 6-7 years used the Schedule for EU inspections for their internal planning. The representative of Denmark (in respect of the Faroe Islands and Greenland) pointed out that there is

already an obligation to notify inspection vessels; this obligation could be widened to include inspection dates. The Secretariat called for more information on more final plans at an earlier stage of planning.

The Chair stressed the need for coordination, but smaller services would have difficulties to make commitments far into the future. The plan received from the EU had been helpful.

## **8 Any other business**

The Secretariat had tabled PECCOE 2010/01/17, an excerpt from ICES advice on the usefulness of VMS data. The Secretariat highlighted the findings of the advice. ICES advised that catch reporting be improved in order to make the VMS data of real use to the scientific community. The representative of Denmark (in respect of the Faroe Islands and Greenland) noted that reporting of catches was a problem PECCOE had been aware of for some time. He proposed that the ICES analysis should be kept in mind when discussing electronic logbooks, particularly the advice to report catches by fishing operation.

The Icelandic representative drew attention to earlier discussions on allowing inspectors to inspect landings in foreign ports. The Icelandic and the Norwegian representatives had proposed ways forward, but these had not been accepted and the EU representative had promised to come up with a paper to address the problem. He asked the EU if there had been any progress. The EU representative said he was not aware of this commitment. The Icelandic representative found that unfortunate and pointed out that in October the 2010 redfish season would be over and this was the third year where nothing happened. The Chair asked whether the EU could look into this matter and report back in October. The EU representative would not make any commitment.

## **9 Report to the 2010, 29<sup>th</sup> Annual Meeting**

The report is as usual based on Summary Records. The factual letter on the Nikolay Chudovorets case was appended to the Summary Records and delegates had the opportunity to comment on the text.

## **10 Closure of the meeting**

The Chair closed the Meeting at 11:55 am. He thanked everybody and wished them a safe journey home.

**Annex 1 to the PECCOE Summary Records from 27 April.**  
**Factual information on the Nikolay Chudovorets case**

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There is a formal proposal from the Russian Federation to take off NIKOLAY CHUDOTVORETS. PECCOE had not had a chance to discuss the proposal.

The President asked for comments on the report and the proposals. The representative of the Russian Federation presented AM2009/36 concerning NIKOLAY CHUDOTVORETS. The vessel received the Russian flag in 2007 (previously being flagged to Honduras). It was bought by a company that deals with ship repair, not fishing, and the new owners have no connection with the earlier owners. There is a wish from a Vladivostok Fisheries College to acquire the vessel for training its students. There is already an agreement between the college and the present owners. Referring to Article 44.4 of the Scheme, the representative of the Russian Federation requested the Commission to remove the vessel from the B-list. The Norwegian representative was not ready to make a decision on NIKOLAY CHUDOTVORETS and the President suggested that no decision be made on the B-list now as there may be a need to go back to PECCOE, but he would give time for consultations.

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The Chair of PECCOE indicated that PECCOE can act quite quickly on the removal of NIKOLAY CHUDOTVORETS if required.

**PECCOE action - Letter to PECCOE members 11 November**

The Russian Federation has at the Annual Meeting formally proposed that **NIKOLAY CHUDOVORETS on the NEAFC B-list is taken off the list.**

The Russian Federation tabled document AM2009/36 concerning this vessel. The paper is attached. The vessel received Russian flag in 2007 (earlier Honduras). It was bought by a company that deals with ship repair, not fishing, and the new owners have no connection with the earlier owners. There is now a wish from a Fisheries College in Vladivostok to acquire the vessel for training the students of the College. There is already an agreement between the College and the present owners. Referring to Article 44.4 of the Scheme The representative of the Russian Federation asks the Commission to remove the vessel from the B-list.

In the light of the above I propose that unless you inform the Secretary of NEAFC by close of business on Thursday 12 November 2009 that you object to such an approach I shall inform the President of NEAFC that the Russian Federation has provided satisfactory evidence showing that the ' NIKOLAY CHUDOTVORETS will not engage in for IUU fishing and make the recommendation that the vessel is removed off the list.

There was no objection from PECCOE.

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- a) A and B- lists of IUU vessels

AM2009/37 rev 2. is the new B-list and it was agreed by consensus. The vessel NIKOLAY CHUDOVORETS had, on the recommendation of PECCOE, been removed from the list so the Russian proposal in AM2009/36 was withdrawn.

**Meeting of PECCOE 26-27 April. Summary records 26 April page 7**

The Chair then invited the Norwegian representative to introduce PECCOE 2010/01/21, which proposes that NIKOLAY CHUDROVETS is retained on the B-list. He reminded PECCOE of the history of the vessel, originally put on the B-list, flagged to Honduras. After the vessel entered the Norwegian port of Kristiansund in 2006 it was treated according to NEAFC rules and had been stuck in the port since. In 2007, when in a Norwegian port, the vessel acquired a Russian flag. At the 28<sup>th</sup> Annual Meeting it was agreed that the vessel could be removed from the B-list on the information that the vessel had changed ownership and would not be used as a fishing vessel in the future. He concluded that this was an invalid decision under Article 44,4 f, because the conditions for the delisting had not been met.

The representative of the Russian Federation did not see the delisting as based on Article 44,4 f. The vessel had acquired a Russian flag in 2007, but had not been granted a fishing licence and had not engaged in IUU activities under the Russian Federation flag. The Article to refer to was 44,4 c not f. The information given at the Annual Meeting was correct at the time. Vessels of Contracting Parties should not be on the B-list anyway.