



**NEAFC  
PERMANENT COMMITTEE ON CONTROL AND ENFORCEMENT**

**4 and 5 October 2010 London  
Report**

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## **Executive Summary**

**PECCOE reviewed** (*agenda item 4.1*) problems encountered with sending messages from FMCs to the NEAFC central database.

**PECCOE discussed at length** (*agenda item 4.2*) the progress in digitalisation of the forms used in the NEAFC Port State Control System. It was concluded that using electronic forms instead of faxes does not change the basics of the system. Setting up the database, however, needs some detailed technical considerations and policy decisions. If the policy decisions are made in time, the system can be technically operative in April 2011. The test version has been tested and is still open; Contracting Parties are urged to make use of the testing facility, especially from vessels.

**PECCOE agreed** (*agenda item 4.2.2*) on a corrigendum to Article 22.4 of the Scheme.

**PECCOE discussed** (*agenda item 4.2.3*) the problems involved in inspections of very large landings of pelagic species. The issue was raised by the representative of Denmark (in respect of the Faroe Islands and Greenland). There was no consensus for changing anything at this point, but the representative of Denmark (in respect of the Faroe Islands and Greenland) would come back to this problem. The objective was not to use up resources unnecessarily for inspection.

**PECCOE discussed at length** (*agenda item 4.2.4*) the possibility of aligning the NEAFC PSC forms and the EU IUU Catch Document. Non-EU Contracting Parties expressed a strong preference for a consolidated system. The EU was invited to look into the matter.

**PECCOE evaluated** (*agenda item 4.3*) in detail the special control measures in place for the fisheries for beaked redfish in the Irminger and the Norwegian Seas.

**PECCOE reviewed** (*agenda item 4.4*) applications from 5 non-Contracting Parties, Belize, Canada, Cook Islands, Japan and New Zealand, for renewal of cooperative status with NEAFC. PECCOE agreed that cooperative non-Contracting Parties have to meet all requirements for information in the Scheme. The Secretary was instructed to ascertain that all required information was available. If the required information is submitted, PECCOE will propose to the Commission that cooperative status is renewed.

**PECCOE evaluated** (*agenda item 4.5*) activities of non-Contracting Parties. It was for the time being concluded that reefers had to meet all reporting requirements, according to the Scheme, but Contracting Parties were urged to look at the problem intersessionally.

**PECCOE reviewed** (*agenda item 4.6*) the NEAFC IUU A- and B-list. It was certified by the EU that the “Sunny Jane” had been scrapped and can be removed from the NEAFC B-list.

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**PECCOE reviewed** (*agenda item 5.1*) the implications for the NEAFC Port State Control System from the FAO Legally binding Instrument on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing agreed in 2009. Two analyses of this issue have been prepared by Norway (April 2010 PECCOE meeting) and the EU (this meeting). PECCOE decided to propose that a small group of dedicated people, led by the Chair of PECCOE works intersessionally to sort out the questions involved, especially that of scope.

**PECCOE discussed at length** (*agenda item 5.2*) implications for the Scheme of the use of electronic logbooks making reporting easier for fisherman. Electronic logbooks are becoming operational in several Contracting Parties. They have great potential for making reporting easier and less error prone for fisherman and adding a wealth of data to the data reported to the central NEAFC VMS database in the messages under the present NEAFC Scheme.

There was general consensus that electronic logbooks are the future and can create whatever reports Parties want to demand within the Scheme with scope to create a single electronic reporting system that can be used in all waters. Norway and the EU expressed willingness to report to PECCOE their experience with electronic logbooks for the benefit of other Parties.

**PECCOE concluded** (*agenda item 5.3*) an outstanding request for looking into the control aspects of a proposed closure on the NW Rockall Bank. The adoption by the Commission last year of a recommendation in this matter meant that the Commission was willing to go ahead without waiting for the PECCOE evaluation of the control aspects.

**PECCOE reviewed** (*agenda item 6*) issues referred from NAFO STACTIC. Three were transferred to AGDC. The fourth is about several items, for example proposed changes for catch on entry, information on charterers, and a new message when passing a borderline between areas, detailed catch reporting when leaving the Regulatory Area and an update on production codes. NEAFC will report back to NAFO on the discussion of this item.

It was agreed to propose that NEAFC and STACTIC meet back to back followed by AGDC. The meeting dates for the first meeting should be 2-6 May 2011 in London at NEAFC HQ, starting with STACTIC for two days, then PECCOE for two days and then AGDC.

## **1. Opening**

The Chair, Mr Gylfi Geirsson, Iceland, opened the meeting welcoming everybody. All Contracting Parties were present. No Party wished to make an opening statement.

## **2. Appointment of the rapporteur**

The Secretariat was appointed rapporteur.

## **3. Discussion and adoption of the Agenda**

The agenda, PECCOE 2010-02-01, was tabled. The first version was circulated mid-August. There were no comments. A revised agenda (new agenda item 6, from STACTIC) had been circulated subsequently.

The EU representative had asked for an additional sub-item under 4, a proposal for amending the position report. (PECCOE 2010-02-07).

The Icelandic representative suggested that the agenda include the numbers of the relevant PECCOE 2010-02 documents. The representative of Denmark (in respect of the Faroe Islands and Greenland) suggested that it should be discussed as to whether STACTIC could meet back to back with PECCOE. The Chair noted that this had been discussed in Halifax in September. The representative of Denmark (in respect of the Faroe Islands and Greenland) suggested a new sub- item under 4: Percentage of inspections of large landings of pelagic species. The EU representative asked which pelagic species. The response was blue whiting. The representative of the Russian Federation proposed a new sub-item to discuss the consolidation of European landing forms with NEAFC PSC forms.

The agenda was adopted as amended.

## **4. Scheme of Control and Enforcement**

### **4.1 Overall evaluation – review by the Secretariat and comments from Contracting Parties.**

The Secretariat introduced (PECCOE 2010-02-06) listing the problems encountered with sending messages from FMCs. There was improvement, but there were still problems. There is advice on the website which shows how to deal with the reporting requirements of the Scheme. One example was the reporting the number of days since last reporting. This causes problems when catches, reported by vessels, have to be extracted from the database. The EU representative thought it was a good idea to have guidelines for users on the website. The EU representative had noted the information that a patrol vessel of a Member State present in the RA had not received any messages and reports over a weekend in August due to a failure in the NEAFC system. Recovery first took place after that weekend. The Icelandic representative thought that daily catch reports generally would solve some of the problems. He noted that it was mentioned that PSC forms were sent by fax. Faxes have problems of legibility, e- mails were better. The Chair noted that

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the system started with faxes especially from vessels to the port state. Everybody looks forward to a full fledged electronic communication system for the PSC forms.

There were no further comments to PECCOE 2010-02-06.

### **4.2 Port State Control**

#### **4.2.1 Digitalisation of PSC1 and PSC2 forms.**

PECCOE 2010-02-12 was introduced by the Secretariat. It summarises the result of the first round of testing. There are still developments to understand what will come out of the system. There is a test version available on the website open for anyone to try.

The Chair suggested that the test version be demonstrated on the screen later. The representative of the Russian Federation had tested the system and had noted some problems. It was not possible to see which form was used. The three day reporting limit is in, but there are arrangements between the Russian Federation and Norway and the Russian Federation and the Faroe Islands which allow shorter timeframes. The Secretariat was aware of this and that would be corrected. The representative of the Russian Federation asked if there was any way of cancelling reports. They also noted some things they did not feel were quite clear.

The Chair summed up those special arrangements had to be included and there was a need for ways to cancel reports.

The representative of Denmark (in respect of the Faroe Islands and Greenland) noted that it should not be a problem to process reports faster than time limits suggested, The Chair accepted that, but pointed out that all parties had to have the necessary time to process the reports.

The EU representative congratulated the Secretariat. The electronic forms have to respect the provisions of the Scheme. The Secretariat introduced specific questions set out in PECCOE 2010-02-12.

#### Legal Implications of Business Continuity Failure

The internet can be unpredictable and communications can fail from time to time. Does the Committee feel that this warrants any additional attention?

The Norwegian representative thought that such failures were a problem for the verification of catches; this was a problem for the vessel and did not need PECCOE's involvement. The representative of the Russian Federation would like to have a testing period before the new system was introduced and have the old system as backup. The Secretariat pointed out that if faxes were allowed then the Secretariat would have to enter the data manually. This would be very demanding. The two systems were two different worlds. The EU representative said that we have to agree on a starting date, but there had to be a transition period where the fax is still a backup. The Chair felt that faxes after the introduction of the electronic communication should be seen as an absolute exception.

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### Anonymous Users Sending Reports

Currently under the fax based PSC System anyone can send a PSC1 or 2 form and the responsibility to verify the data is with the flag-state. Continuing this system would give users the maximum flexibility. At the last PECCOE meeting there were differences of opinion between Contracting Parties and no definite agreement. There is a fundamental choice, which needs to be made.

The Norwegian representative stated that the movement from fax to electronic communication should not basically change the system. It is a question of improved communication, not verification. At the end of the day it is up to the flag state to make the verification. The Chair noted that everybody can also send a fax. He did not see a real change. The representative of Denmark (in respect of the Faroe Islands and Greenland) said that this is linked to the question of passwords for masters and agents. He did not see a need for these passwords.

### Registration of Vessels

The number of unique vessels using the system is not great averaging around 250. Around 75% of these vessels are annually notified to NEAFC and so their details can be imported into the new application. A system and timescale needs to be agreed between flag-states and the Secretary for updating vessel details and informing and registering users to the new system. The name of masters has not been a problem up to now. How is the Secretariat to get this information?

The Chair asked if we need information on the master. The EU representative noted that in the present system the signature of the master is not required and we should not change that. The flag state has the final verification. The FAO ports state system requires names of master and owner, but we can discuss that later. In the present system both the agent and master can enter information. The Secretariat asked how the database should deal with imprecise information on vessels that does not align with the information in the database. The Chair stressed that the information on the vessel had to be unique.

### Powers of Port-state

The Port-state has the right to take any final decision regarding any landing for practical reasons not explicitly stated in Chapter V of the Scheme. With this in mind

1. If the Flag State has authorised the catch, can the Port State still deny the landing?
2. If the Flag State has denied the catch, can the Port State still authorise the landing? (In the test version this is set to 'No') There is a derogation which allows port-state to land a catch if the status is unconfirmed by the FS, but no explicit reference to denial.
3. If the Port State has allowed the landing under derogation, then can the vessel cancel the landing, within the normal 24h limit?

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4. What is the time period the Port-State must wait before it can 'derogate'? If none is set then a vessel could receive permission to land under the derogation, and then cancel and maybe try to land elsewhere which seems undesirable.

These events are of course extremely rare; however an automated system needs to have some facility to cover all possible outcomes.

The EU representative noted that this happened only when there was a delay in verification. If a landing has taken place, it cannot be cancelled. The Secretariat suggested that perhaps this was better dealt with by AGDC. The EU representative thought that this really was up to the Port State. The Icelandic representative agreed that this was not a problem with frozen fish, but the FAO system is not limited to certain products.

### Removal of redundant forms

Once a form is sent, it cannot subsequently be edited. Masters / Agents can return to the form in a draft version to review it, but once it is sent to the port-state (as first point in the authorisation process) it can only be cancelled and a new form (with a new record number) started. It should be possible for port state managers and others to remove a form.

The EU representative noted that cancelled notifications are currently retained in the system and displayed on the website so they are visible to other parties and that this should continue to be the case.

### Area of Catch

Confirmation of formats and values for NEAFC / NAFO/Other

'Other' category has no clear relationship to the 'flag-state declaration' section of forms PSC1 & PSC2, which refer only to NEAFC and NAFO areas, so some clarification is required if this section can be incorporated into the automated system. Currently it is not included.

The Norwegian representative suggested that this be discussed by AGDC. The representative of Denmark (in respect of the Faroe Islands and Greenland) pointed out that in NEAFC it was the Convention Area, but in NAFO only the Regulatory Area. There had been incidences of landings of cod from Greenland.

The conclusion seems to be that using faxes or electronic forms do not change the basics of the system. Setting up of the database, however, needs some detailed technical considerations and decisions.

The Secretariat representative demonstrated the test version of the electronic reporting of PSCs on the projector screen. She explained the way the testing had been done over the summer. The application was tested in two stages between Monday 02 August and August 12 and from the Greenlandic Trawler Sisimiut September 01 - 03. Testers from

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the Netherlands, Greenland, Iceland, Denmark and the UK were also involved. (See PECCOE 2010-02-12)

The test site is still open and can be tried out by any interested parties.

The Chair summed up the flow of information. He noted the automatic submission to the flag state. He asked how the agent/master was acknowledged. The Secretariat informed that it was always by e-mail. He also asked about the information on catch area. The EU representative thought that it was sufficient to know if it was NEAFC or NAFO or another area. The Chair thought that something precise had to be put into the area field.

The EU representative asked what was sent in the e-mail. He was informed that only the link is sent, but not the PSC form. He also asked where the primary data were held. The primary data are held at NEAFC. In response to a question raised by the representative of Denmark (in respect of the Faroe Islands and Greenland) the Secretariat informed the meeting that if vessels are not registered details have to be entered manually. The EU representative asked if the port states would be able to file the information. The Secretariat informed that documents can easily be printed to files. The representative of the Russian Federation asked about the field "estimated time of arrival". Special arrangements have to be taken into account. The EU representative asked what happened if the system malfunctioned. The same point is made in PECCOE 2010-02-12 by the Secretariat. The Chair suggested that PECCOE 2010-02-12 was revisited again.

The Chair congratulated the Secretariat.

The Secretariat introduced PECCOE 2010-02-11. The Norwegian representative asked how there could more than 100 % inspection coverage. The Secretariat said that this happens when only inspection forms without the corresponding landing/transshipment authorisation forms are displayed on the website. The EU representative did not accept the methodology on which the percentages were calculated and had informed the Secretary accordingly. In the EU landings are very often by transport vessels. A landing by a transport vessel constitutes one single landing, as generally agreed by all CPs since the inception of the PSC scheme. For example, a transport vessel landing transshipped catch from 5 fishing vessels provides 5 PSC forms for this single landing. When such a landing is inspected, however, just one single PSC3 form is issued and posted on the website. Therefore, it is misleading to equate 1 PSC2 form with 1 landing as appears to be the case in the table provided by the Secretariat. The other point was that, in accordance with Article 25.1 of the Scheme, it is clear that the threshold of 15% inspections of landings/transshipments is imposed on Contracting Parties, not on individual port States. In accordance with the EU representative's analysis of the PSC statistics for EU ports in 2009, using the methodology based on the general understanding outlined above, the EU had achieved the threshold laid down in the Scheme. The figure of 12% as quoted in the table was incorrect, as the correct figure is 17.4 %. The Secretariat accepted this and would revise the table.

**4.2.2 Amendments to Article 22.**

The EU representative drew attention to the changes in Article 22 that allow cancelled notifications to go onto the website. Sub-article 4 stipulates that all notifications go onto the website. This is not logical, and the EU had drafted some new text that makes the flow more logical.

The EU representative introduced PECCOE 2010-02-18 with a corrigendum to Article 22.4. The Chair asked if this additional sentence was necessary. The EU representative said that when Article 22 was amended to cater for the cancellation of PSC notifications, an error crept into the text suggesting that all notifications, not just cancelled notifications, should be posted to the website. The text therefore needed to be corrected accordingly.

This corrigendum was adopted.

**4.2.3. Inspections of large landings of pelagic species**

Denmark (in respect of the Faroe Islands and Greenland) - Faroe Islands referred to Article 25 calling for 15 % inspection of frozen landings. In the Faroe Islands there are a number of very large landings (up to 3000 tonnes). This is mostly blue whiting fished in Faroese waters, where there is a daily catch reporting requirement. It is an enormous task to monitor this and it is therefore proposed that the requirement be reduced to 5 % for pelagic landings and transshipments. The representative of Denmark (in respect of the Faroe Islands and Greenland) agreed to issuing a working paper for further discussion.

The Chair later invited the representative of Denmark (in respect of the Faroe Islands and Greenland) to introduce PECCOE 2010-02-23 describing problems with the inspection of large landings of pelagic fish. Very large vessels land several thousand tonnes, taking up to 3 days. This is very demanding on inspection resources. There have been 106 landings so far this year. These are landings for which the Faroese authorities have daily catch reports. The representative of Denmark (in respect of the Faroe Islands and Greenland) proposed reducing inspections to 5 %. The EU representative wanted to have time to reflect on this problem. There was a danger that it could weaken the scope of the PSC. He asked if redfish would be seen as pelagic and included. The Icelandic representative also mentioned redfish. He wanted to know how landings were selected for inspection in the Faroes. The representative of Denmark (in respect of the Faroe Islands and Greenland) informed that, with current resources, they could manage 5 %. The arrangement would include blue whiting, mackerel and herring. The Norwegian representative said that when 15 % were introduced it was felt that it was a quite high figure. The Norwegian representative was prepared to discuss this matter. In cooperation between the EU, Norway and the Faroe Islands on control measures for herring, mackerel and horse mackerel it is agreed that 10 % of the number of landing should be inspected and 15 % of the landed weight. Risk assessment has made the inspections more effective. Norway had not found any infringement in their inspection of pelagic landings; six per cent of the landing controls are of pelagic fish. The rest are controls of whitefish. The Norwegian representative is open for discussion of the problem.

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The EU representative felt that there was a case for reviewing the experience from the PSC system over the last couple years, but in general, not because one party had a staffing problem. The Icelandic representative tended to agree with that. The representative of Denmark (in respect of the Faroe Islands and Greenland) pointed out the difference between inspecting mixed demersal landings and clean pelagic landings. He would follow the Norwegian lead and come back to this problem. The objective was not to use up resources unnecessarily for inspection.

### **4.2.4. Harmonisation of EU catch certification and the PSC Scheme**

The representative of the Russian Federation pointed out that there was a lot of duplication between the EU Catch Certificate and the NEAFC PSC form. The representative of the Russian Federation proposed combining the EU document with the PSC forms. For frozen fish, caught in the Convention Area, which had not been previously landed, the NEAFC PSC scheme alone should suffice.

The representative of Denmark (in respect of the Faroe Islands and Greenland) agreed. The EU had unilaterally introduced its catch certification system and that creates double administration. The representative of Denmark (in respect of the Faroe Islands and Greenland) wanted to design the PSC form so it could be approved by the EU as being compatible with the EU Catch Certificate. The Chair said he wished to take that discussion in relation with PECCOE 2010-02-19.

The Icelandic representative stressed that the EU catch certification system is a problem for other parties not just the EU. The Norwegian representative noted that it created problems when one party unilaterally introduces a measure that is not aligned to the NEAFC system. He would welcome consolidation.

The EU representative pointed out that the EU catch certification system had a different scope and covered all imports to the EU. Catch certification schemes from other organizations, ICCAT and CCAMLR, have been approved. The representative of Denmark (in respect of the Faroe Islands and Greenland) wanted the same to happen for the NEAFC PSCs. The EU representative said that it may consider making the same two systems more compatible. The Icelandic representative said that the EU catch certification system caused a lot of administrative problems. What was the difference between the catch certifications and the PSC? The Chair suggested that a comparison between the two systems could be made. The representative of Denmark (in respect of the Faroe Islands and Greenland) suggested the EU would be in the best position to do this. The representative of the Russian Federation had compared SEAFO system and the NEAFC PSC. The Norwegian representative thought that EU, in accepting the ICCAT and CCAMLR schemes, must have done some analysis.

The Chair accepted it was difficult to discuss this item without documentation. The Icelandic representative suggested that the Secretariat resubmit an earlier paper. The Secretariat introduced PECCOE 2010-02-19, a report from the CITES meeting. The NEAFC PSC system and the ICCAT catch documentation system had been presented at that meeting and the general feeling was that there was no difference in substance between the two systems. Basically they were meant to solve the same problem, but the

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circumstances around the fisheries were rather different. The Icelandic representative repeated that acceptance of the NEAFC PSC as compatible with the EU IUU Regulation was very important. The EU representative said that the reason SEAFO and ICCAT had been accepted was that these were catch certification systems. The Icelandic representative asked how the NEAFC PSC system could be accepted. The EU representative pointed out that NEAFC had originally preferred a Port State control system to a catch certification scheme. Catch Certification thus became a Contracting Party issue.

The Icelandic representative again asked how NEAFC could update the PSC to meet the requirements of the EU. The EU should have an interest in running a single system. The representative of Denmark (in respect of the Faroe Islands and Greenland) agreed with the Icelandic representative and thought that EU would be the obvious party to make its requirements clear. The EU representative was invited to look into the matter.

### **4.3 Evaluation of the redfish fisheries special control measures**

#### **4.3.1 Irminger Sea**

The Chair asked for comments. There were none. The representative of Denmark (in respect of the Faroe Islands and Greenland) asked about the transfer of quota between years made by Iceland. The Icelandic representative informed that this was a procedure that Iceland has had in place since 2006. This was in line with procedures used in domestic fisheries. He could circulate the numbers behind these transfers to other Contracting Parties if needed. These numbers were based on landings not catch reports. The representative of Denmark (in respect of the Faroe Islands and Greenland) noted that this was not included in the Irminger Sea management measure. The EU representative would like to see some documentation as a basis for discussions.

The Chair stressed that it would be much more effective if questions were submitted in working papers in advance of meetings. The representative of Denmark (in respect of the Faroe Islands and Greenland) thought that this is perhaps better discussed at the Coastal State meetings. The Icelandic representative agreed.

The Secretariat informed that in the beginning some Contracting Parties were slow to report monthly catches inside and outside the conservation areas. This made it impossible for the Secretariat to respond when asked about statistics.

The Icelandic representative had expected that the information submitted from flag states should be easily accessible for inspection platforms. This did not seem to be so. The Chair noted that rules sometimes were made too late after the fishery started. The Icelandic representative again raised the question of being allowed to inspect landings of redfish in foreign ports. He noted that, with respect to mackerel, there was a lot of activity on how to weigh and control landings. The same should be the case for redfish.

#### **4.3.2 Redfish in the Norwegian Sea**

The Norwegian representative noted that they had not been able to have an inspection presence in the area. The representative of Denmark (in respect of the Faroe Islands and Greenland) informed that some vessels in the weekly tables reported catches that were

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not to be believed. Therefore the fishery may be closed too early. The Secretariat answered that they had to use the data they received. It had asked Contracting Parties to validate the catches for their vessels. Tomorrow morning there would be an update including catches over the weekend. There were problems with distinguishing between the event and the reporting date. The representative of Denmark (in respect of the Faroe Islands and Greenland) had, based on data from the Secretariat, closed the fishery for Faroese vessels today. The Chair hoped that daily reports may solve some of these problems. The representative of Denmark (in respect of the Faroe Islands and Greenland) asked if the Secretariat could keep a look out for peculiar numbers reported. The Secretariat said that it could be instructed to do so, but it should be up to Contracting Parties to follow the weekly catches. The Secretariat pointed out that the measure for the Norwegian Sea does include the possibility of Contracting Parties having access to the database without an inspection presence. The representative of Denmark (in respect of the Faroe Islands and Greenland) asked if Contracting Parties had responded to the call from the Secretariat to validate catch data for their vessel. The Secretariat responded that there have been some corrections.

### **4.4 Cooperative non-Contracting Party status**

PECCOE 2010-02-03. There are applications from Belize, Canada, New Zealand and Japan. The Chair pointed out there were some problems in the Belize interpretation of reporting requirements. The Secretariat had reviewed the automatic reporting from Belize, considering the increase in numbers of Belize reefers. There was an exchange of technical details and Belize will have to meet all requirements beginning of next year.

Canada asks for fishing and transshipment and scientific research opportunities, there has not been any Canadian fishing activity since 2006. New Zealand asks for fishing and scientific research opportunities. Cook Islands have asked that their application from last year, which was too late, be rolled over. The EU representative wanted to see the Cook Islands application. He thought the applications from Canada, New Zealand and Japan did not meet the requirements laid down in Article 34 of the Scheme. The Chair suggested that the Secretary draws the attention of Canada, Japan and New Zealand and Cook Islands to the outcome of the PECCOE meeting, which is that they should meet all requirements of the Scheme. It was agreed that information received from applicants should be circulated to PECCOE.

The EU representative suggested informing the Annual Meeting that PECCOE felt that it had not had the necessary information to make a final recommendation. The Norwegian representative noted that three non-Contracting Parties had had cooperative status for many years. He accepted that formalities may have not been met, but he would not make too much fuss about it. The Icelandic representative agreed. The representative of Denmark (in respect of the Faroe Islands and Greenland) felt that the Scheme had changed and the non-Contracting Parties had to accept that. The EU representative feared that the Norwegian approach could lead to non-Contracting Parties being treated unfairly. Norway pointed out these were applications for renewal, not first time procedures. The EU representative said that Article 34 was quite clear on annual procedures.

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If the required information is submitted PECCOE will propose to the Commission that cooperative status is renewed.

### **4.5 Non-Contracting Party activities**

#### **4.5.1 Clarification of Articles 35 and 36 on the notification and authorisation of reefer/cargo vessels.**

The Secretariat introduced the item. It was necessary to establish whether reefer vessels should be both notified and authorized. If authorisation was necessary reefers have to be authorised for all species. The other question was the sequence of catch reporting. Should reefers report catches at entry positions, transshipment and port of landing, but not catch on exit? Contracting Party vessels have variable practices. The Secretariat felt that notification of reefers should suffice. The Chair listed the points and said that he agreed that notification should suffice. He asked how this has been done in the past. At present reefers from Contracting Parties are only notified. The representative of Denmark (in respect of the Faroe Islands and Greenland) agreed that it did not make sense to run an authorisation procedure for reefers. The Chair stressed that all parties should have the same understanding of what is necessary. The EU representative asked if this was a theoretical question or if there had been practical problems. The Chair said that it was important to be able to inform cooperating non-Contracting Parties. The Secretariat circulated a Norwegian letter stressing that all elements required in the Scheme for reefers should be met. The EU representative noted that the Scheme does not differentiate between catching vessels and transport vessels. Therefore there should be no difference between these two types of vessels. There should not be any difference between the treatment of vessels of Contracting Parties and cooperating non-Contracting Parties either.

The Chair said that there was a danger of double reporting of catches in the Regulatory Area and therefore there was a need for clarification. Inspectors should have an indicator that a vessel is a transport vessel. The Norwegian representative said that it had been the feeling that fishing vessels and transport vessels should be treated in the same way as far as possible and make the same reports. He was, however, willing to discuss it. The Chair asked what was the use of reporting zero catches. The Norwegian representative answered that reporting zero would indicate that this is a transport vessel. The Secretariat explained some problems when trying to extract information from the database when everything was completely open.

It was agreed that reefer vessels have to meet all reporting requirements for fishing vessels in the Scheme. The Norwegian representative stressed that if this was not agreed it was necessary to change the Scheme. The Secretariat reported that the present implementation of the requirements for reefers by Contracting Parties is patchy and both notification and reporting of transshipments is inadequate. The EU representative found that it was somewhat silly that a vessel, without the capacity to catch fish, should have to enter information on catches. We may have to think about adapting the Scheme. The EU keep reefers and vessels with catching capacity on separate lists. The Chair pointed out that Contracting Parties, according to Article 9, can exempt reefers from the obligation to keep a logbook. The Chair concluded that for the time being reefers have to send all

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messages, but he urged Contracting Parties to take this issue back home and consider whether there was a need to amend the Scheme.

### **4.6 IUU activities – review of IUU Lists A and B**

The Secretariat introduced PECCOE 2010-02-14 merging information from all Contracting Parties.

PECCOE 2010-02-16 is a certificate of the scrapping of the Sunny Jane. The EU representative introduced the paper. The Captain of the Port of Santander has signed the certificate and it was completed on 30 September 2010. The Chair asked for a translation of the PECCOE document. The Norwegian representative asked about the dates of the pictures, which seemed to be after the scrapping date. The EU representative explained that the pictures were taken from YouTube. The EU representative would produce a short resumé and a proposal for removing Sunny Jane from the list.

The EU had produced a short resumé and a proposal for taking the Sunny Jane off the list. The EU representative introduced PECCOE 2010-02-020. The resumé certified that the Sunny Jane had been scrapped and proposed that it was removed from the B-list. This was agreed.

### **4.7 Amendment of the position reports, Annex VIII, 5. Proposed by the EU.**

The EU representative introduced PECCOE 2010-02-07. The question is that FMCs could have problems when receiving position reports from the Secretariat. The suggestion is to add flag state identification. The Chair understood that this related to situations where the FMCs received reports forwarded from the Secretariat. The representative of the Russian Federation did not see this as a problem. This must be an EU problem. The Secretariat noted that any change here will only affect the Secretariat. The EU representative pointed out that it would only be necessary to amend the annex. The representative of Denmark (in respect of the Faroe Islands and Greenland) said that the call sign did not give the flag state and therefore they may have to change things, but this was not a major problem and they could support the proposal. The Norwegian representative understood that messages to inspection platforms originated from NEAFC not the flag state. The flag could only be seen from the call sign. Could the original information not be kept? The Secretariat did not see a problem in including the flag state. It was agreed to adopt the EU proposal.

## **5. Annual Meeting issues referred to PECCOE**

### **5.1 Implications for the Scheme of FAO Port State Measures Agreement**

There are 4 PECCOE documents, PECCOE 2010-02- 8-10 and 16. The Chair invited the EU to introduce PECCOE 2010-02- 8-10.

NEAFC Contracting Parties (the European Union, Iceland, Norway and the Russian Federation) are amongst the signatories of the FAO Agreement. Apparently, Denmark has not yet signed on behalf of the Faroe Islands and Greenland. These parties will be bound by the FAO Agreement in addition to the NEAFC PSC.

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PECCOE 2010-02-09 compares the relevant provisions of the NEAFC Scheme with the corresponding minimum requirements of the FAO Scheme. The task is to make sure that the NEAFC Scheme is compatible with the FAO Scheme, but not to expand the scope of the NEAFC Scheme. By comparing, it can be seen that the number of changes necessary to make the NEAFC System compatible are not that extensive, but there will be a need for a new Annex.

The Chair asked if there was agreement that it was not necessary to expand the scope of the NEAFC Scheme. The EU representative thought so. The Norwegian representative tried to recall the task given to PECCOE by the Annual Meeting. It was to examine the implications the FAO Scheme may have on the NEAFC Scheme. It was perhaps too early to exclude consideration of the scope of the FAO and the NEAFC Scheme. It was difficult to see the rationale for operating two separate systems. The EU representative did not want to reject elements of the FAO agreement, but he did not see the need to transpose the FAO elements to the NEAFC Scheme as they apply to the Parties to that agreement anyway. It was agreed to proceed on this basis.

The EU representative then went line by line through the findings of PECCOE 2010-02-09.

The EU representative noted that the whole FAO agreement had been analysed and in this table only the provisions that needed amendments were listed. The text of the new provisions is found in PECCOE 2010-02-10. The Chair thanked the EU for this considerable effort. He asked Norway, which had tabled a paper with a similar purpose at the last PECCOE meeting, to comment. The Norwegian representative thanked the EU for the analysis. This had not been a simple task. If we agree going further this could be dealt with by a smaller group of interested parties. There are differences of opinion with respect to the scope, but that should not prevent progress. The EU representative acknowledged that the Norwegian paper was the start and the inspiration to continue and had led to reflections on how to go forward. The representative of Denmark (in respect of the Faroe Islands and Greenland) needed some time to digest the information and consider how to proceed. He would also like to find out if Denmark has signed the agreement on behalf of the Faroe Islands and Greenland. He agreed that we should not change the scope of the NEAFC PSC for the time being.

The Chair asked if Contracting Parties had considered this matter and how to proceed. He drew attention to PECCOE 2010-02-16. The paper describes the flow of information in the NEAFC and the FAO systems. The Icelandic representative thought that there may be a need to change the scope in order to avoid having to use two systems to deal with one landing, if there was both fresh and frozen fish on board. The Chair found that the discussion could continue without taking a firm position on the scope. The representative of Denmark (in respect of the Faroe Islands and Greenland) had vessels landing frozen and fresh fish and felt that the scope had to be considered. He had the feeling that in earlier discussions the assumption was that the FAO commitment would be met at the national level.

The EU representative felt it was necessary to reflect on the implications on inspections and other procedures if the scope of the NEAFC Scheme was expanded. The Norwegian representative was of the opinion that all parties had to consider the scope of the FAO agreement. There is considerable work to be done with many problems. There is not much time to demonstrate progress with the mandate we received last year. He suggested establishing a small working group to bring the matter forward – a meeting in the margin of the Annual Meeting would start work in earnest. The Commission will at some stage have to decide on scope. There are two large working documents to base the work on. The representative of Denmark (in respect of the Faroe Islands and Greenland) supported the Norwegian proposal and a meeting during the Annual Meeting. The EU representative welcomed the proposal to intensify work. The Norwegian representative pointed out that this was not the first time that a group of dedicated people had solved a problem. The port state control system was an example of this approach. The group could be informal. The Icelandic representative agreed.

The Chair summed up that interested parties will nominate participants to an informal group, which can meet at the Annual Meeting and later work by correspondence. It was agreed that this would be a “friends of the chair” type of working group and all Contracting Parties would be invited. All Contracting Parties indicated that they would participate. The EU representative suggested that the group have its first meeting later that day. This was agreed.

## **5.2 Implications for the Scheme of the use of electronic logbooks**

There were no papers on this item. The EU representative proposed that NEAFC should look very carefully at the use of electronic logbooks, which was the future. Contracting Parties should be ready to adapt reporting under the Scheme as this develops.

Norway has introduced electronic logbooks, which are used in some fisheries by over 300 vessels. A large number of reports have been submitted and some technical problems encountered. Four software systems have been accepted. According to plans the system will be extended to all vessels over 15 m.

The Chair asked how this affected the requirements of the NEAFC Scheme. Last year we heard about the option to create standard reports going to NEAFC and NAFO. The Norwegian representative confirmed that this had been implemented.

He asked if the EU would be in a position to do the same as Norway. The EU representative confirmed this, but primary data were the responsibility of the FMCs. There were arrangements between the EU and Norway that may be of interest. Reefers are not obliged to complete an electronic logbook and would therefore require specific reporting rules.

The Chair asked if the systems would be able to provide the data necessary for inspection purposes and monitoring fishing activities. The representative of Denmark (in respect of the Faroe Islands and Greenland) stressed the need for harmonisation so different systems

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can communicate. This is a major piece of work for the AGDC to deal with. The Icelandic representative concurred that this was the task of the AGDC. From the middle of June Iceland will be operating an electronic logbook, but it has not been fully reviewed as to how it fits with other systems. The representative of the Russian Federation reported that they have initiated a project along the same lines.

The Secretariat informed that the NEAFC system has already received messages created by electronic logbooks in Iceland and Norway for some time without problems, actually with fewer problems and less errors. The Norwegian representative has options for cancellation and corrections which can create problems *vis-a-vis* the NEAFC system.

The EU and the Norwegian representatives felt that the main idea must be to end up with a single electronic reporting system that can be used in all waters. In contrast to the paper logbook, the electronic logbook gives real time information.

The representative of Denmark (in respect of the Faroe Islands and Greenland) informed that Greenland are investigating an electronic logbook similar to the one used by the EU, which will be able to report to NEAFC and other systems.

The Secretariat asked if we should stick to the present minimal system, serving inspectors, or if the Secretariat should keep a more extensive database that could also serve the scientific community. The Icelandic representative felt that it was up to the primary data holders to decide how the data should be distributed. The Chair noted that there were facilities so data could be reported as selected. If we extend the reporting it has implications for the Scheme and its annexes. The Icelandic representative asked if this issue had been discussed in PECMAS. The Secretariat informed about the requests for adding data to the VMS files from ICES. It has not been decided to recommend this. The representative of Denmark (in respect of the Faroe Islands and Greenland) thought electronic logbooks were a big step forward. At present the Secretariat should concentrate on catches. The Contracting Parties would be able to provide their own scientists with necessary data.

The EU representative stated that the electronic logbook should relieve the fisherman of the need to report manually. The Secretariat felt that the electronic logbook can create whatever report necessary. This reduces the need for harmonisation. The Norwegian representative still felt that harmonisation is important. The Norwegian representative wants the skipper to know and be responsible for the information being submitted from the vessel. The electronic logbook is also a golden opportunity to harmonise time limits for reporting and modernise the systems. The Chair thought that there was need for harmonisation of the reports to the Secretariat. He felt that one should move from pulling data rather than pushing. There seemed to be two views, one where the electronic logbooks will report everything, another that the relevant reporting will be extracted. The representative of Denmark (in respect of the Faroe Islands and Greenland) did not see a real difference. The EU representative saw it more as a change in starting point compared to the classic system. This is a very complex task that cannot be set up for NEAFC over night.

The Chair asked if the EU and Norwegian representatives would be willing to report on the experience with the electronic logbook to PECCOE. They promised to do so

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

This item has probably been dealt with as the Commission adopted Recommendation VIII 2010: Recommendation by the North-East Atlantic Fisheries Commission in accordance with article 5 of the Convention on Future Multilateral Cooperation in North-east Atlantic Fisheries at its Annual Meeting in November 2009 to adopt conservation and management measures by closing certain areas on the Hatton Bank, Rockall Bank, Logachev Mounds and West Rockall Mounds in the Regulatory Area in order to protect vulnerable marine ecosystems from significant adverse impacts in 2010.

The Secretariat informed that adoption by the Commission last year in effect meant that the Commission was willing to go ahead without waiting for the PECCOE evaluation of the control aspects. The Norwegian representative noted hourly reporting was significant even if higher frequencies may be needed to monitor these closures.

The representative of the Russian Federation referred to the outcome of the consultations between Russia and the EU. According to the agreed record of consultations on the future management of haddock at Rockall, which took place in Edinburgh between 14-16 September, the Delegations agreed that the Parties would submit a joint proposal for a Recommendation by NEAFC on closure areas for haddock on the Rockall Bank, maintaining the existing closure under NEAFC Recommendation IV of 2010 for a further two years from 1 January 2011 to 31 December 2012, so the existing proposal will be replaced.

## **6. Issues referred to PECCOE by NAFO's STACTIC**

These issues have been forwarded to the AGDC from STACTIC, NAFO. They include

1. Daily Communications of Catches - STACTIC WP 10/9 Rev 5. In this paper there are 2 new Data Elements that are not included in the NAF codes. These codes are CH - Chartering Flag and AE - Area of Entry.
2. Cancel message - STACTIC WP 10/15 Rev. Submit to the AGDC to solicit its views on how best to adopt the proposal for use in both NAFO and NEAFC.
3. Product Form Codes - STACTIC WP 10/32. A proposal to introduce new product form codes into the NAFO CEM, Annex XX (c). This could have technical implications of moving from a single alpha code to a 3 alpha code.
4. Observers Scheme -NAFO CEM Chapter VII and Article 28. Initiate a discussion in the AGDC on the implementation of a broader electronic reporting system, in the medium term, to promote a more reliable and effective enforcement scheme.

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The Chair queried whether item 4 was an AGDC issue. He invited the former Chair of STACTIC, Mr. Nedergaard, the representative of Denmark (in respect of the Faroe Islands and Greenland), to introduce the issues. Mr. Nedergaard informed that this had come up at the STACTIC intersessional meeting in Torshavn in May and again in Halifax in September. He suggested that the first three items were discussed by AGDC, but to discuss item 4 here.

The Icelandic representative thought that NAFO had done an excellent job and he welcomed daily catch reporting. In this respect NEAFC is now trailing NAFO. The Chair noted that PECCOE has to look into a number of issues, for example the proposed changes for the catch of entry, the information on charterers, a new message when passing a borderline between areas with detailed catch reporting when leaving the Regulatory Area. The update on production codes was also a step forward. While waiting for the general introduction of electronic logbooks there was room for improvements in the present set-up. The EU would like to spend some time looking into the NAFO material. Some issues were, however, not technical, He would particularly reserve his position with respect to reporting frequency until he had coordination with member states. The representative of Denmark (in respect of the Faroe Islands and Greenland) informed that NAFO will proceed and the proposed changes with respect to item 1 will be in force next year. It has been sent to the AGDC to be checked against the NAFO system. The production codes and other changes will only be introduced in NAFO if they are also accepted by NEAFC. There is a need for harmonisation and the AGDC should bear that in mind. The Norwegian representative noted that there would be daily catch reporting next year in NAFO. A clear mandate had been agreed with respect to electronic logbooks. He would like to link the discussions on daily reporting to the electronic logbook, before the Annual Meeting. The EU representative felt that daily catch reporting is a matter for PECCOE and needs not to be referred to the AGDC. The Chair thought new data elements were linked to this discussion. The EU representative did not see that. The Chair said that the AGDC had only to discuss if a new data element collided with something else.

The Chair said that there was a suggestion from STACTIC to have the next STACTIC meeting back to back with PECCOE. He would propose to the Chair of STACTIC that NEAFC and STACTIC meet 2 days each and AGDC met on the fifth day. The representative of Denmark (in respect of the Faroe Islands and Greenland) pointed out that STACTIC has used part of the third day to produce the report. He would limit the meeting time to 5 days. The EU representative asked if two annual meetings for AGDC had been reintroduced. The Chair said AGDC would meet two times if necessary. The Norwegian representative found this was an interesting way to arrange meetings in the future. This would also make NAFO more interested in the AGDC. A week with control and enforcement in the North Atlantic would be efficient. The EU representative did not exclude the AGDC meeting being in the middle. The representative of Denmark (in respect of the Faroe Islands and Greenland) thought that the people are not necessarily the same in all three groups.

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It was agreed to propose that NEAFC and STACTIC met back to back followed by AGDC. The meeting dates for the first meeting should be 2-6 May 2011 in London at NEAFC HQ, starting with STACTIC for two days, then PECCOE for two days and then AGDC. This proposal will be sent to the new Chair of STACTIC. The representative of Denmark (in respect of the Faroe Islands and Greenland) asked if members of STACTIC would be invited to participate in the PECCOE meeting. The Norwegian representative felt there is a need to investigate how many members of STACTIC are interested in being observers at the PECCOE meeting.

The Chair referred to the discussion yesterday on the tasks of the AGDC. The Icelandic representative drew attention to the complication of different reporting frequencies in the redfish fisheries in the Irminger Sea. The Chair agreed that there should be harmonisation. The representative of Denmark (in respect of the Faroe Islands and Greenland) agreed with the Icelandic representative. This year Faroese vessel had been instructed to report daily both inside and outside the protection area. The Norwegian representative agreed that different reporting frequencies caused confusion. Hopefully there was a movement towards daily reporting daily – also in NAFO. The representative of Denmark (in respect of the Faroe Islands and Greenland) thought that this should be taken up when drafting the recommendation on redfish measures in the Irminger Sea for 2011. He wanted to have a discussion on the product codes and the cancellation message, before handing the issues over to the AGDC. The Chair agreed that there was a need for a message for crossing boundaries, like the one in NAFO. The Icelandic representative noted that the Coastal States meet later this week.

Denmark (in respect of the Faroe Islands and Greenland) drew attention to a STACTIC working paper from Russia on a cancellation message. PECCOE 2010-02-13. It had been felt in STACTIC that there should be a similar system in NEAFC. The representative of Denmark (in respect of the Faroe Islands and Greenland) introduced the document. It was noted that NEAFC already has a withdrawal message. The AGDC will look at the technical implication. The EU representative accepted that there was a need for harmonisation, but PECCOE could not just adopt a STACTIC paper. The representative of Denmark (in respect of the Faroe Islands and Greenland) pointed out that STACTIC had not adopted this measure, but was waiting for the outcome of the AGDC discussion. NEAFC could act similarly after the AGDC.

The Norwegian representative saw two questions with respect to cancellations. Do we want to allow it and if yes how should it be done. The representative of Denmark (in respect of the Faroe Islands and Greenland) pointed out that it was the FMC that should forward cancellation messages. The representative of Denmark (in respect of the Faroe Islands and Greenland) introduced the STACTIC paper on product codes. Should NEAFC adopt the tri-alpha FAO Code? The FAO List is very extensive. It may not be necessary to introduce the full list. The AGDC will look into the technical aspects.

**7. Any other business**

The Chair asked the Secretariat to introduce PECCOE 2010-02-04 on a visit by the Office of the Auditor General of Norway.

**8. Report to the 29<sup>th</sup> Annual Meeting (2010)**

The Report will be open for comments until the end of the day on Wednesday 20 October.

**9. Closure of the meeting**

The Chair closed the meeting at 1:40 pm. He encouraged Contracting Parties to submit working papers for discussion well in advance of meetings and work intersessionally. He wished everybody a safe journey home. The EU thanked the Chair (applause).