Recommendation XX : 2019

Proposal by PECMAC for a Recommendation to amend Article 34 of the Scheme of Control and Enforcement

As proposed by PECMAC the Commission hereby adopts the following recommendation pursuant to Article 8 of the Convention:

Article 34 - Co-Operating Non-Contracting Party Status

1. A non-Contracting Party which seeks the status of a co-operating non-Contracting Party shall submit a request to the Secretary by 30 June, accompanied by a report containing the following information:
   a. Full data on its historical fisheries in the NEAFC area, including nominal catches, number/type of vessels, name of fishing vessels, fishing effort and fishing areas;
   b. Details on current fishing presence in the Regulatory Area, number of vessels and vessels characteristics;
   c. Details of research programmes it has conducted in the Regulatory Area, the results of which it shall share with NEAFC;
   d. Details on measures in place by that non-Contracting Party to ensure compliance with Flag State and Port State obligations in accordance with relevant international instruments, in particular the FAO Agreement on Port State Measures and the FAO Voluntary Guidelines for Flag State Performance. In respect of Flag State obligations, these details will take, inter alia, the form of an assessment carried out in accordance with the criteria established in the FAO Voluntary Guidelines for Flag State Performance. Such assessment may also be carried out by a Contracting Party.

Furthermore, the non-Contracting Party concerned shall:
   • Undertake to respect the provisions of this Scheme and all other Recommendations established under the Convention;
   • Inform NEAFC of the measures it takes to ensure compliance by its vessels, including inter alia, observer programmes, inspection at sea and in port, and VMS;
   • Communicate annually catch and effort data and size frequency distribution of the catches (when possible) in due time and appropriate format for scientific evaluation of the stocks;

2. On the basis of the request submitted according to the provisions of paragraph 1 as well as any other relevant information, PECMAC shall recommend to the Commission, if appropriate, whether the status of co-operating non-Contracting Party may be granted. The status may be granted if the Non-Contracting Party is able to comply with:
- Flag State and Port State obligations in accordance with relevant international instruments, and
- the NEAFC recommendations, including this Scheme.

3. Non-Contracting Parties accorded this status, which shall be decided by the Commission on a year-to-year basis, shall be invited to participate at plenary and scientific meetings, as an observer.