PECMAC 2019 (1)  
REPORT  
24 to 25 April 2019  
London

1. Opening of the meeting
1.1 The Chair, Thord Monsen, Norway, opened the meeting and welcomed the participants. All Contracting Parties were represented except for the Russian Federation.

2. Appointment of the rapporteur
2.1 The Secretary was appointed as rapporteur.

3. Discussion and adoption of the agenda
3.1 The agenda that had been circulated before the meeting (document PE 2019-01-01) was adopted. Norway noted it had information to share under AOB regarding a vessel flagged to St Kitts and Nevis, which was carrying a falsified Norwegian authorisation to tranship.

4. Scheme of Control and Enforcement
4.1 Overall compliance evaluation - 2018

4.1.1 Annual reports by the Contracting Parties under Art. 32 and 33

4.2 The Chair invited the Contracting Parties to present their respective national reports on control and enforcement, reminding them of the 1st March deadline for the reports to be sent to the Secretariat. National reports included inspection rates and the infringements detected as well as enforcement actions.

4.3 Points noted in the discussions included:
   - The need for all penalties and fines to be expressed in Euro (local currency - if provided - in general comments sections);
• Further clarity in tables 1.1 and 1.2 was needed regarding which contracting party that should list and follow up infringements, and whether reporting was on PSC or Flag State actions;
• The European Union noted that in some cases there seemed to be decreasing inspection presence against increasing vessel activity of a certain Contracting Party;
• The port-state inspection percentages of two Contracting Parties were below the inspection benchmark required by the Scheme;
• Contracting Parties agreed to check bilaterally to confirm which cases from previous years should be marked as pending resolution, or closed;
• A difference was noted between national arrangements and NEAFC regulations on some issues, such as what is considered a serious deviation from a declared ETA;
• A case has been noted where a certain vessel had committed three infringements of the same type within a matter of three months and warnings had been issued as a sanction;
• There needed to be coordination between the port State and flag State on sanctions in case of an infringement to avoid either double penalties or alternatively a soft penalty being applied or dismissal by one or other State;
• The absence of the Russian Federation at PECMAC meant that some issues on the reports would need clarifications.

4.4 The Chair noted that the forms/templates issued by the Secretariat needed some revision to improve clarity, in particular on the jurisdictional roles of port and flag States.

4.5 **All Contracting Parties were invited to update their reports as appropriate, with the Secretariat to pass on the detailed comments to the Russian Federation. Iceland and DFG/Faroe Islands presented revised reports during the meeting.**

4.1.2 **Compliance report by the Secretariat**

4.6 The Secretariat presented a report on compliance by the Contracting Parties and cooperating non-Contracting Parties with NEAFC Recommendations in 2018 (PE 2019-01-32 Rev.1), with the Scheme of Control and Enforcement (PE 2019-01-35 Rev.1), and with the Scheme Annexes on communications (PE 2019-01-28).

4.7 The Secretariat set out compliance and related infringements related to NEAFC Recommendations. The Secretariat noted that where warnings were triggered on compliance with the VME Recommendation, Contracting Parties were advised. However the vast majority of these alerts were confirmed as false positives. The report also included reference to the new Annex 1c of the Scheme on reporting on shark bycatch.

4.8 The Secretariat presented the compliance report on the Scheme of Control and Enforcement. This included apparent CAT reports from vessels without AUT notices. This will be reflected in the draft compliance report for further consideration by PECMAC. Several of the issues raised in the bullets under 4.1.1 above were re-iterated. Denmark (in respect of the Faroe Islands and Greenland) noted its requirement to see its data divided by Flag State, while the European Union required data at Contracting Party level.
4.9 The Secretariat presented statistics on messages and reports transmitted by Contracting Parties under Annexes 2, 8, 10 and 12 of the Scheme. The Secretariat explained that, while it did not follow up rejected messages on a message by message, flag States with high message rejection levels were informed and requested to investigate the issues (with their service provider where relevant).

4.10 The Chair encouraged the Contracting Parties to look into any issues where rejection levels were high. The Secretariat would further investigate the discrepancies between TRA messages from donor and receiver vessels, as well as POR messages without associated TRA messages from donor vessels.

4.11 The Secretariat presented document PE 2019-01-38 Rev.1 on compliance with special control measures related to pelagic redfish in the Irminger Sea (Recommendation 1:2018). It was noted that only Iceland and the Faroe Islands were fulfilling the requirement under the article 7.f of the Recommendation for weekly reporting of catches. Iceland regretted that only two CP’s were fulfilling this requirement and noted, as Recommendation 1:2018 is for a fishery against a zero advice from ICES, that it was not based on an Icelandic proposal or support. Iceland urged all proponents of this Recommendation to respect their own convictions. The EU informed that it would be submitting the required information to the NEAFC Secretariat in 2019.

4.12 Denmark (in Respect of the Faroe Islands and Greenland) requested that the next iteration of the document should separate out the data related to Greenland from that of the Faroe Islands.

4.13 The Chair took note of the comments on the report and it was agreed that the Secretariat would add a table on 2018 redfish catches to the report.

4.14 The Chair noted that the 2018 Compliance Report will be presented, reviewed and finalised at the September meeting to be presented to the AM.

4.15 Under this item the European Union presented PE 2019-01-39 on reporting of inspection rates between Contracting Parties for landings or transhipments of fish at port. Its document highlighted that variable distribution of inspections by one Contracting Party, which seemed to indicate that higher-risk landings from vessels of a particular Contracting Party were inspected at rate below 1%, while landings of lower risk by other Contracting Parties were inspected at a much higher rate. It was recalled that inspection levels should be non-discriminatory and risk based.

4.16 The EU suggested that in the Annual Report a table be included showing the distribution of inspections by the Contracting Party of vessels inspected. Other Contracting Parties suggested that dividing the data by PSC1/PSC2 forms and FRE/FRZ landings could also be useful. It was noted that the Contracting Parties had divergent views on counting of inspections of reefers (counting inspected vessels or counting submitted PSC forms). It was also noted that risk based inspections meant that levels of inspections would not necessarily be uniform, but nevertheless should reflect a rationale.
4.17 The Chair suggested that the Secretariat should provide this inspection information manually in 2019, however in future years the data should be included as part of Contracting Party reporting under the NEAFC Electronic PSC system.

4.18 PECMAC agreed that in the draft Compliance report that will be presented at the second PECMAC meeting, the Secretariat should present a table showing the distribution of inspections by Contracting Parties of other Contracting Party. In addition, a split between inspections based on PSC1/PS2 forms and inspections of FRE/FRZ landings based on the data in the NEAFC Electronic PSC may be provided.

4.1.4 Possible amendments to forms

4.1.4.1 CPs annual reports (articles 25, 32, 33 and 43)

4.19 PECMAC 2018 had discussed improving the template for Contracting Party compliance reporting. The Chair and Secretariat had been delegated to revise the template accordingly. The Secretariat presented PE 2019-01-27 (part 1 and 2) which aimed to minimise the burden on Contracting Parties, while facilitating automated analyses of the various parameters. The changes included the following:

- Reduction in number of columns as far as possible by rationalisation;
- Replacement of radio call sign by IMO number;
- Drop down lists to allow multiple options (such as several infringements or actions taken), and;
- Addition of a general comments column

In discussion the following amendments were suggested by Contracting Parties:

- Include clear headers to each table and descriptors to each column. This is also to help clarify to data inputters what the data refers to, e.g. EEZ/RA, flag/port State, Contracting Party etc;
- Include both vessel IMO number and radio call signs;
- Use Euro as standard currency (local currency can be inserted in comments)
- Consider how best to describe the infringement and the recommendation it refers to;
- Re-examine whether criminal or administrative/civil nature of infringement etc. should be reflected;
- Consider division of tables into the jurisdiction where the infraction happened and the jurisdiction responsible for follow up. [Columns could also/alternatively be used to indicate the division between flag State and Port State actions/responsibility.]
- Include a field to explain reasons why no sanction or a warning has been issued.

4.20 Based on the comments above, PECMAC requested the Secretariat to provide a revised template for PECMAC 2 2019. This template could then be adopted for use in reporting in 2020.

4.2 Port State Control of foreign vessels
4.21 The Secretariat presented document PE 2019-01-36 on numbers of inspections carried out by Contracting Parties. In addition, graphical representations of the data were provided by the Secretariat (PE 2019-01-36). It was noted that there was a difference between the data held at the Secretariat, based on authorised PSC forms, and that at Contracting Parties based on actual landings.

4.22 It was agreed that PECMAC would consider quality control and graphical presentation of the data at a Contracting-Party level at future meetings and that this would be added to the draft compliance report for consideration.

4.3 Non-Contracting Parties

4.3.1. NCP activities in the RA – Annual reports by the CPs under Art. 43

4.23 No reports of Non-Contracting Party activity (IUU) in the Regulatory Area were noted by Contracting Parties. (Documents: PE 2019-01-04, PE 2019-01-06, PE 2019-01-08, PE 2019-01-16 and PE 2019-01-20).

4.3.2 Cooperating NCP activities in the RA

4.3.2.1 Compliance report by the Secretariat

4.24 The Secretariat presented PE 2019-01-37 report on compliance by Cooperating Non-Contracting Parties with the Scheme of Control and Enforcement. It was noted that while Bahamas, Liberia and St Kitts and Nevis had authorised vessels only those of Bahamas had operated in the Regulatory Area. In discussion it was suggested:

- Better analysis of donor as well as receiver vessel data was required, and;
- Performance under article 43 (reporting) should be included;

4.25 No conclusion was reached as to whether to ask CNCPs to attend the next session of PECMAC (each individually attending the plenary). This will be revisited when the requests for status as CNCPs has been received at the end of June.

4.26 It was discussed that a conclusion would be reached as to whether to ask CNCPs to attend the next session of PECMAC (each individually attending the plenary) after the candidate CNCPs.

4.27 It was agreed that the Secretariat would provide (the missing) information on transhipments from vessels into reefers and to add information about this to the draft compliance report. Contracting Parties would therefore be able to check the information before the next PECMAC meeting.

4.3.2.2 Annual reports by CNCP under Art. 32 and 33

4.28 The Following CNCPs had provided annual reports on activities in 2018; Bahamas (PE 2019-01-09), Canada (PE 2019-01-10), Liberia (PE 2019-01-07), and New Zealand (PE 2019-01-12). No report had been received from ST Kitts and Nevis.
4.29 In discussion the Contracting Parties noted some inconsistency in the format of the reports, therefore clearer guidance to the CNCPs on set format would be useful.

4.30 It was agreed that the Secretariat should seek some clarifications from Bahamas on the numbers of vessels operating in the RA compared to the apparent numbers of POR and POS messages. The Secretariat was also requested to seek some clarification from Liberia on the number of vessels being NOT. Finally, the Secretariat was requested to follow up with St Kitts and Nevis on their missing report.

4.31 It was agreed that once written applications came from candidate CNCPs in May, the decisions would be taken by PECMAC by correspondence regarding whether to require individual candidate CNCPs to attend PECMAC 2.

4.3.3 Review and possible amendments of the IUU Lists A and B

4.32 The Secretariat presented document PE 2019-01-21 with details of the South East Atlantic Fisheries Commission IUU list, as well as the NEAFC IUU list (PE 2019-01-22). No changes to the NEAFC IUU list had been made. The Secretariat noted that there were continuing discrepancies between vessels on the lists from, for instance SEAFO, which related to changes in vessel name and uncertainties about their fate. PECMAC was requested to provide further guidance on how to deal with such discrepancies in the future (document PE 2019-01-07).

4.33 In discussion it was confirmed that vessel Eros Dos, while damaged by fire, was not sunk, therefore it should remain on the IUU list. Labiko appeared to be the most recent name for a vessel that was being listed under an earlier name by SEAFO. Vessel name Ray (as adopted from the SEAFO list) should be updated to Hai Lung along with the IRCS following the SEAFO listing.

4.34 PECMAC declined to provide generic guidance to the Secretariat on dealing with discrepancies, preferring to address issues as they arise.

4.35 PECMAC agreed to instruct the Secretariat to make the minor updates to the NEAFC IUU list as set out above.

4.4 Amendments to the Scheme

4.4.1 Implementation of previous amendments

4.36 The Secretariat presented an information note on implementation of the 2019 Scheme amendments (PE 2019-01-41).

4.4.2 Proposed amendments

4.37 Norway presented its proposal (PE 2019-01-14 Rev. 1) on making lists of notified and authorised vessels publically available. It explained that Heads of Delegation had discussed this issue as one way of making NEAFC a more modern and transparent RFMO.
4.38 In discussion PECMAC welcomed the proposal noting that very few RFMOs did not have such public listings. Minor amendments were proposed to clarify the fields to be listed.

4.39 PECMAC agreed to adopt the revised proposal (PE 2019-01-14 Rev 2.) for uploading to the Annual Meeting 2019 for adoption. PECMAC also agreed to forward the proposal to JAGDM to consider (in parallel) fuller business rules to allow the system to deal consistently and appropriately with either the IMO number (IM) or External Registration (XR), and for this to be understood by Contracting Parties.

4.40 PECMAC then considered and agreed to adopt a proposal (PE 2019-01-29) from JAGDM to add species codes in use by the NEAFC PSC system to the Scheme Annex V (Species List).

4.41 PECMAC then considered and agreed to adopt a proposal (PE 2019-01-30) from JAGDM to clarify date and time fields in cancelled reports Scheme Annex VIII 7) “CANCEL” report.

4.42 The Secretariat presented a proposal (PE 2019-01-30 29) from JAGDM to amend Scheme Annex IX C1), Format for Electronic Exchange of Fisheries Monitoring, Inspection and Surveillance information. The changes to gear codes would address issues raised by NAFO STACTIC.

4.43 After brief discussion it was agreed to return to the proposal at the next PECMAC meeting to allow for technical checks by certain Contracting Parties.

4.44 The European Union presented proposal PE 2019-01-42 which they explained was the same document as presented to the AM 2018 as AM 2018-52 regarding inspection reports under Annexes XIII and XIV of the Scheme. The European Union explained that the proposal addressed difficulties arising in obtaining signatures of the master to PSC inspection reports when the masters are not present during the landing or the PSC form is filled and transmitted to the master electronically.

4.45 In discussion, certain Contracting Parties noted with interest the potential for an electronic signature, however further consideration was considered to be required.

It was agreed that the proposal should be returned to at PECMAC 2 2019

4.5 NEAFC External Evaluation

4.5.1 For Information - OECD review of RFMO performance on IUU

4.46 The Secretariat briefly introduced the information document (PE 2019-01-13), a report from the Organisation for Economic Cooperation and Development (OECD) on regional actions against IUU. The report had not been flattering to NEAFC despite its relatively high performance in combatting IUU, this was largely related to transparency issues.

4.47 In discussion the Contracting Parties noted a quantitative rather than qualitative approach in the report and that some aspects of NEAFC activity had been misinterpreted.
Nevertheless useful recommendations and suggestions were noted in the report, including on transparency, on which NEAFC had recently made progress. It was also noted that the OECD had also produced some national reports on actions against IUU which may include useful findings for Contracting Parties.

5. Issues referred by the Commission

5.1 AHWG ERS Implementation Group

5.1 The Chair of the ERS Implementation Group reported to PECMAC on progress under the remit of the group. The group had been established by the AM to work under PECMAC to finalise technical documentation related to the ERS, as adopted at the AM 2018. Through a series of meetings the Group has agreed to a set of criteria to be used when assessing whether the technical preparations for the adoption of the FLUX standard were complete. These criteria were set out in (PE 2019-01-25 Rev. 1). Progress under the group (see the most recent report of the group; PE 2019-01-26 Rev. 1) meant that enough had been finalised to implement and test Version 1 of the NEAFC ERS. The Group would continue with developing a Version 2 of the ERS to include additional business rules and the data element transmission date and time etc.

5.2 PECMAC agreed to endorse the agreed Criteria and the finalised ERS FLUX Implementation document, PE 2019-01-24.

Fall back procedures

5.3 The Chair set out his proposal on fall back procedures for masters of fishing vessels (document PE 2019-01-17). Finalisation of this procedure was one of the criteria for completion of technical preparations set out PE 2019-01-25 Rev. 1.

5.4 The European Union considered that seeking Contracting Party contributions on this issue could have been useful. It considered that the fall back procedure should provide clear framework to masters and ensure that, despite communication failures, data is submitted to the NEAFC Secretariat and is available for inspectors. After a brief discussion, the European Union, tabled document PE 2019-01-45 as an alternative approach on the procedures, based on their fall back procedures for the EU ERS.

5.5 Contracting Parties expressed views on the alternative approach. Clarification was sought on the role and responsibilities of the Master and the FMC under the Scheme. The Chair reminded Contracting Parties on previous lengthy discussions on the return message and that when agreeing on the frames of ERS, fall back procedure for the Master on how to fulfil reporting requirements was called for and should be considered and possibly. Fall back procedures for the FMCs are a separate issue.

5.6 Given this was not a technical issue for the ERS implementation group to solve, it was agreed to bring the discussion back to the next PECMAC meeting.
5.1.1 Proposed amendments to the Scheme

5.7 While no formal proposals were made under this item, PECMAC briefly discussed the issue of ensuring parity of levels of information circulated to inspectors under the NAF system and the FLUX ERS – as agreed at the AM 2018. One option mentioned was if detail on gear which would be a function of the ERS, could also be introduced for the NAF system during the transition period. The European Union indicated that while it did not want to exclude any option, the decision of the AM 2018 in this respect should not be undermined. This should be further considered by the ERS Implementation Group.

5.2 Flag State Performance Review

5.8 The Chair invited Contracting Parties to update PECMAC on progress and expected delivery of national Flag State Performance Reviews (noting the Norwegian report PE 2019-01-18). A possibility of an editorial group was mentioned by the Chair. Some Contracting Parties pointed out that certain criteria are more relevant to the functioning of the NEAFC than others.

5.9 Following a brief discussion, PECMAC took note of the work undertaken by the Contracting Parties.

5.3 Review and possible amendments of the requirements for CNCP application (Art 34)

5.10 The Secretariat updated PECMAC on recent difficulties in getting newly agreed CNCPs up to standard on communications, VMS and data, according to the Scheme. In light of the considerable resource this had taken from the Secretariat and the NEAFC MCS service provider, the Secretariat considered it would be useful to introduce a communications checklist for CNCPs (and their service providers) to consider at the time of their application, and as a basis for an early dialogue. Such a checklist could be required depending on whether the applicant CNCP planned to carry out activities in the RA in the coming year or not.

5.11 The European Union recalled that for several years there have been inconsistencies in reports provided by certain CNCPs showing that those CNCPs lacked understanding of the NEAFC Scheme and recommendations with which they have undertaken to comply.

5.12 Following presentation of an early draft checklist PE 2019-01-44, Contracting Parties generally welcomed the approach in order to ensure CNCPs were fully aware of the requirements of the Scheme. It was noted that the draft checklist needed further development and alignment with the details of the Scheme.

5.13 PECMAC agreed that the Secretariat should present a further iteration of the checklist to the next meeting. The aim would be that the list would be ready for use in the 2020 round of CNCP applications, but the checklist questions could nevertheless guide informal discussions with CNCPs in the context of their upcoming 2019 applications.
6. **JAGDM**

6.1 **Request for advice**
Advice is requested from JAGDM in relation to the handling of vessels reporting IMO numbers and External Registration in Notification and Authorisation Messages.

6.2 **Replies to requests for advice**
No further points were raised beyond those raised in earlier agenda items.

7. **Any other business**

7.1 Norway informed that it had received a request from Mauritian authorities with regard to a vessel flagged to St Kitts and Nevis, carrying a license to tranship which was allegedly issued by Norwegian authorities. The license was a falsification. Norway had contact with St Kitts and Nevis and was awaiting further detail.

7.2 The Chair noted the information and requested Norway to keep PECMAC advised in case of the need to highlight the information in the context of IUU.

7.3 The European Union reminded PECMAC that the AM 2018 had agreed that during the transition period the requirements of the Scheme would be the same for users of either the NAF or FLUX ERS. Therefore any changes proposed at PECMAC would need to be reflected in both old and new schemes.

7.4 The Chair confirmed that, as agreed at AM 2018, the Scheme would remain harmonised between ‘old and new’. The Secretariat would therefore ensure it kept track of any changes being introduced so these would apply to both users of NAF and of ERS FLUX.

7.5 The concerns about the absence of the Russian Federation at PECMAC was again raised by Contracting Parties.

7.6 PECMAC requested the Chair to write to the Russian Federation reminding it of its essential contribution to the work the Commission through its attendance of PECMAC.

8. **Data security and confidentiality – ISMS**

8.1 **Identification of final documents**
The Chair explained the new document marking system the Secretariat had introduced to help identify which documents were marked as restricted or for release after the Annual Meeting (2019). Denmark (in Respect of the Faroe Islands and Greenland) suggested the Secretariat also consider the system of marking reports with boxes for adopted documents or documents to be forwarded to the next meeting.

8.2 PECMAC agreed that documents should remain restricted or not restricted as set out in the List of Documents, PE 2019-01-00.
9. **Report to the 2019 Annual Meeting**
   9.1 The draft report of the meeting was circulated to Contracting Parties for comments and the final report was adopted on 13 May 2019.

10. **Date and place of the next Meeting**
   10.1 The next meeting will take place in London on the 17-19 September 2019.

11. **Closure of the meeting**
   11.1 The Chair thanked participants for their work and the progress made in the meeting. He also thanked the Secretariat for their help.