Proposal by PECMAC for a Recommendation to modify Article 44 of the NEAFC Scheme of Control and Enforcement in respect of vessels listed as IUU by other RFMOs

Background

The assessment of the OECD on the performance of the regional fisheries management organisations also included the performance of NEAFC in respect of IUU activities. One of the suggestions made was to publish automatically the lists of IUU vessels from other RFMOs. However, such publication would not have any legal consequences (such as not allowing access to port services) unless the appropriate legal framework is provided.

Therefore, the PECMAC proposes following changes to the Scheme:

- Following the communication of another RFMO, the Secretary would without delay place the vessels listed as IUU vessels by that RFMO on the NEAFC IUU B-list;
- The Secretary would remove vessels listed according to the above provision only if the RFMO that has originally listed them has removed them from their list;
- PECMAC would be able to make changes to the list where necessary;
- The Secretary would circulate the NEAFC IUU lists to all RFMOs.

Recommendation XX : 2020

Proposal by PECMAC for a Recommendation to modify Article 44 of the NEAFC Scheme of Control and Enforcement in respect of vessels listed as IUU by other RFMOs

The Commission hereby adopts the following recommendation pursuant to Article 8 of the Convention:

Paragraphs 5 and 6 of Article 44 of the NEAFC SCE are modified as follows, with new paragraph 7:

5. The Secretariat shall transmit the IUU B-List and any amendments thereto as well as any relevant information regarding the list, to the Secretariats of Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), the Northwest Atlantic Fisheries Organization (NAFO) and the South East Atlantic Fisheries Organisation (SEAFO). The Secretary shall also circulate the IUU B-List to other Regional Fisheries Management Organisations listed in paragraph 7.
6. After having been notified by CCAMLR, NAFO and SEAFO the Regional Fisheries Management Organisations listed in paragraph 7 of vessels that have been confirmed as having been engaged in IUU fisheries, the Secretary shall without delay place those vessels on the NEAFC IUU A or B-List. The Secretary shall remove those vessels placed on the IUU A or B-List in accordance with this paragraph if the RFMO which originally identified the vessels as having engaged in IUU fishing activity has notified the NEAFC Secretary of their removal from the list.

PECMAC shall regularly review modifications to the NEAFC IUU A and B-List made according to this paragraph and, if necessary, shall amend the NEAFC IUU B-List.

7. The Regional Fisheries Management Organisations referred to in paragraphs 5 and 6 are the following: the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), the Commission for the Conservation of Southern Bluefin Tuna (CCSBT), the Inter-American Tropical Tuna Commission (IATTC), the International Commission for the Conservation of Atlantic Tunas (ICCAT), the Indian Ocean Tuna Commission (IOTC), the General Fisheries Commission for the Mediterranean (GFCM), the Northwest Atlantic Fisheries Organization (NAFO), the North Pacific Fisheries Commission (NPFC), the South East Atlantic Fisheries Organisation (SEAFO), Southern Indian Ocean Fisheries Agreement (SIOFA), the South Pacific Regional Fisheries Management Organisation (SPRFMO) and the Western and Central Pacific Fisheries Commission (WCPFC).

8. The Secretary shall place the ‘A’ and ‘B’ lists on the NEAFC website without delay.

9. The Secretary shall notify without delay the relevant flag State of the change of status of any of its IUU-listed vessels.