PERMANENT COMMITTEE ON MONITORING AND COMPLIANCE

14-16 September 2016 – NEAFC HQ, London

Report

The document numbers referred to in Agenda item 4.4.4. Advice from JAGDM to amend the Scheme are corrected in this version. This correction is shown in the text of the relevant section.

1. Opening of the meeting
The Chair, Gylfi Geirsson, Iceland, opened the meeting and welcomed the delegates. All Contracting Parties were represented.

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

3. Discussion and adoption of the agenda
The agenda was adopted with some amendments to the form that had been circulated before the meeting. The numbering in this report reflect the agenda as it was adopted.

4. Scheme of Control and Enforcement

4.1. Overall compliance evaluation

4.1.1. Compliance report to the Commission
The Chair presented document PE 2016-02-13, a Draft Compliance Report.

There were discussions on both the format and contents of the report. The conclusion was that the draft was a useful document but that some amendments would have to be made before it would be submitted to the NEAFC Commission. It was noted that the document presented summaries of Annual Reports that the Contracting Parties had submitted at the 2016 Spring meeting and information that had been extracted from the NEAFC databases.

It was agreed that following this meeting, the Chair would work with the Secretariat to prepare a revised version of the document that would be circulated to PECMAC members so that they could make comments in time for the Chair to prepare a final version that would be submitted to the 2016 Annual Meeting.

4.1.2. New form for Annual reports under Art. 32 and 33
The Chair presented document PE 2016-02-12, a draft of a new format for Annual Reports on Control and Enforcement, where reports will be submitted electronically.

There were discussions on the draft new format where several points were made.
It was noted in these discussions that although the wording in the Scheme of Control and Enforcement was not absolutely clear, there was a common understanding that it should only be counted as one landing or transhipment and one PSC inspection when a reefer has catches from more than one donor vessel in its hold. When a vessel lands more than one product, i.e. both fresh and frozen catches, the PSC inspection should count against both products regardless of whether it would be counted as one or two inspections.

It was noted that there is no mention of other types of processing than fresh and frozen in Article 25 of the Scheme and therefore there is no inspection threshold for other products.

**It was agreed** that following this meeting, the Chair would work with the Secretariat to prepare a revised version of the format, taking account of the comments made at the meeting. This revised version would then be circulated to PECMAC members so that they could make comments, before the Chair would prepare a final version, taking account of the comments received, which would be used for electronic submission in 2017 onwards.

### 4.2. Port State Control – Overall implementation evaluation

The Secretariat presented document PECMAC 2016-02-08 rev1. It was noted that this document included several possible proposals that are intended to make it possible to implement the instructions that the 2015 Extraordinary Meeting gave the Secretariat.

There were lengthy discussions on the numerous issues raised in the document.

**It was agreed** that the Contracting Parties would submit written comments to the document to the Secretariat before the next PECMAC meeting in the spring of 2017. The written comments and the document itself, possibly an amended version, would then form the basis of a continued discussion on this at that meeting. It was noted that the Secretariat would not be able to implement all the instructions it was given by the 2015 Extraordinary Meeting until the results of these discussion were finalised and eventual amendment to the Scheme formally enter into force.

Norway presented document PE 2016-02-26, regarding the number of landings and inspections under the PSC.

It was discussed that it was pragmatic to count it as two separate landings and two separate PSC inspections when the same vessel lands both fresh and frozen fish. However, it was noted that it would be sensible to reassess this in the context of the planned review of the inspection benchmarks for the PSC. It would therefore be appropriate to discuss this issue again at a future PECMAC meeting.

### 4.3. Non-Contracting Parties

#### 4.3.1. NCP activities in the RA

No Contracting Party had any information on NCP activities to report.

#### 4.3.2. Cooperative NCP activities in the RA

- **4.3.2.1. Compliance evaluation of Bahamas**
- **4.3.2.2. Compliance evaluation of Liberia**
- **4.3.2.3. Compliance evaluation of St Kitts and Nevis**

The Secretariat presented a compliance evaluation of all CNCPs, document PE 2015-02-29.
It was noted that no CNCP vessel had conducted fishing in the Regulatory Area. The only presence had been of transport vessels. Two cooperating non-Contracting Parties, Canada and New Zealand, did not have any vessels in the Regulatory Area.

No Contracting Party raised any compliance issue relating to a CNCP.

### 4.3.3. Cooperative NCP status

#### 4.3.3.1. Application by Bahamas

The Contracting Parties discussed the application from the Bahamas for renewing the status of a cooperating non-Contracting Party.

It was agreed to propose to the NEAFC Commission that the Bahamas be granted the status of a cooperating non-Contracting Party to NEAFC for the year 2017.

#### 4.3.3.2. Application by Canada

It was noted that Canada had been a cooperating non-Contracting Party for a number of years, but had not applied to have its Cooperating non-Contracting Party status renewed for the year 2017.

#### 4.3.3.3. Application by Liberia

The Contracting Parties discussed the application from Liberia for renewing the status of a cooperating non-Contracting Party.

The EU stated that they were not in a position to support renewing Liberia’s status. They stated that this was due to the lack of control over the fleet by the competent national fisheries authority – the fleet being managed by an external registry outside the country, with no exchange of information with the competent authority.

While no other Contracting Party expressed opposition to the renewal, it was noted that in the absence of consensus PECMAC would not make a recommendation to the NEAFC Commission on Liberia’s application.

It was agreed to report to the NEAFC Commission that there was no consensus in PECMAC on any recommendation to the NEAFC Commission on the application of Liberia for renewal of the cooperating non-Contracting Party status.

It was noted that despite the lack of a recommendation from PECMAC, the application from Liberia would be a meeting document for the Annual Meeting in November, and that this issue might have to be resolved by holding a vote at that meeting.

#### 4.3.3.4. Application by New Zealand

The Contracting Parties discussed the application from New Zealand for renewing the status of a cooperating non-Contracting Party.

It was agreed to propose to the NEAFC Commission that New Zealand be granted the status of a cooperating non-Contracting Party to NEAFC for the year 2017.

#### 4.3.3.5. Application by St Kitts and Nevis
The Contracting Parties discussed the application from St.Kitts and Nevis for renewing the status of a cooperating non-Contracting Party.

The EU stated that they were not in a position to support renewing St Kitts and Nevis’ status. They stated that this was due to the lack of control over the fleet by the competent national fisheries authority – the fleet being managed by an external registry outside the country, with no exchange of information with the competent authority.

While no other Contracting Party expressed opposition to the renewal, it was noted that in the absence of consensus PECMAC would not make a recommendation to the NEAFC Commission on St. Kitts and Nevis’s application.

It was agreed to report to the NEAFC Commission that there was no consensus in PECMAC on any recommendation to the NEAFC Commission on the application of St Kitts and Nevis for renewal of the cooperating non-Contracting Party status.

It was noted that despite the lack of a recommendation from PECMAC, the application from St Kitts and Nevis would be a meeting document for the Annual Meeting in November, and that this issue might have to be resolved by holding a vote at that meeting.

4.3.4. IUU activities in the RA

4.3.4.1. Review of IUU List A
It was noted that there was no vessel on the IUU A list.

4.3.4.2. Possible amendment of IUU List B
No amendments were made to the IUU B list.

4.4. Possible amendments of the Scheme

4.4.1. Harmonisation of reporting requirements for vessels operating in the Regulatory Area
The Chair pointed out that this issue had been discussed at previous meetings, but was now redundant as this had been incorporated into the work of the AHWG ERS. No further action under this agenda item would therefore be necessary, as this would eventually form a part of the proposal on ERS.

4.4.2. Icelandic proposal to amend Article 8
Following discussions on this issue, it was agreed to make a proposal to the NEAFC Commission as presented in document PE 2016-02-10 Rev.2.

4.4.3. Icelandic proposal to amend Article 23
Iceland presented document PE 2016-02-11. Following discussions, it was clear that there was no consensus on adopting this proposal.

It was noted that there was an intention to discuss a number of possible amendments to the PSC system at the next PECMAC meeting, as discussed under agenda item 4.2. It was agreed that this issue should be included in those discussions at the next meeting, although it did not relate to the instructions to the Secretariat from the 2015 Extraordinary Meeting.

4.4.4. Advice from JAGDM to amend the Scheme
Note was taken of the proposals from JAGDM to amend the Scheme of Control and Enforcement.

It was agreed that while it was appropriate that JAGDM remain the option of making proposals directly to the NEAFC Commission, it was good to maintain it as a working practice to have proposals on amending the Scheme submitted through PECMAC. This would ensure that PECMAC could properly fulfil its role to provide an oversight over the Scheme. The relevant proposals would therefore be presented to the NEAFC Commission as proposals by PECMAC.

It was agreed to propose to the NEAFC Commission that the Scheme of Control and Enforcement be amended as set out in document PE 2016-02-23 (regarding additions to the species list in Annex V).

It was agreed to propose to the NEAFC Commission that the Scheme of Control and Enforcement be amended as set out in document PE 2016-02-27 (regarding the clarification of the description of message identifiers in harmony with NAFO), but that the amendment should not come into force until 1 January 2018, to ensure that the Contracting Parties had sufficient time to introduce the amendment into their domestic legal framework.

It was agreed to forward the proposal in document PE 2016-02-27 (Regarding the harmonisation of the Catch on Exit message with NAFO) to the AHWG ERS and request that this be included in the amendments to the Scheme of Control and Enforcement that would eventually be made in the context of ERS.

It was agreed to propose to the NEAFC Commission that the Scheme of Control and Enforcement be amended as set out in document PE 2016-02-28 (Regarding Appendix 1a to Annex IV).

4.5. Proposals already agreed by PECMAC (for information)
Note was taken of the proposals to the NEAFC Commission that have already been agreed by PECMAC earlier this year. This was for information only and there were no discussions under this agenda item.

5. Evaluation of the redfish fisheries special control measures

5.1. Irminger Sea
The Secretariat presented document PE 2016-02-30, on compliance by the Contracting Parties with special control measures regulating catches of redfish in the Irminger Sea.

It was noted that there was some improvement on the vessel’s reporting. The main issues continue to be firstly that some vessels use “all catch on board” for COX rather than “catches since last report” and that some vessels report 2 (or more) CAT reports with the same date and different quantities without cancelling (using CAN report) the previous one(s). It was pointed out that only Iceland fulfils the requirement for weekly reporting of landings.

The Russian Federation pointed out that despite the fact that they are not bound by Recommendation 1:2016 on redfish in the Irminger Sea, they voluntarily comply with the control and reporting measures contained in it.
6. Annual Meeting issues referred to PECMAC

6.1. Implications for the Scheme of the use of electronic logbooks (ERS)

6.1.1. Draft proposal from the Ad Hoc WG on ERS

The Chair of the Ad Hoc Working Group on ERS, Gylfi Geirsson, Iceland, presented the report from the group and the outcome of its work so far.

It was agreed to approve the outcome of the WG, as presented in document PE 2016-02-07 Rev.2 and propose to the NEAFC Commission that it do the following, as presented in document PE 2016-02-33 Rev.1:

1. Note document PE 2016-02-07 Rev.2, which is the outcome of the work of the Ad Hoc Working Group on ERS and which has been approved by PECMAC.
2. Agree that document PE 2016-02-07 Rev.2 shall be the basis for the NEAFC ERS system.
3. Instruct PECMAC to produce a finalised proposal for the appropriate amendments to the Scheme of Control and Enforcement, and other relevant proposals, and present these proposals to the 2017 NEAFC Annual Meeting.
4. Instruct PECMAC to have the AHWG ERS continue to work on this issue, to make it possible for PECMAC to have the proposals referred to in point 3 above ready for the 2017 Annual Meeting.
5. Instruct the Secretariat, and invite the Contracting Parties, to start as soon as possible to formulate requirements and develop technical solutions to implement the NEAFC ERS system on the agreed basis, so that ERS can be implemented in practice as soon after the 2017 Annual Meeting as possible.
6. Instruct the Secretariat to inform the Cooperating non-Contracting Parties about the process that is being undertaken regarding ERS.

The Chair of the AHWG ERS presented document PE 2016-02-32, which contains a number of questions from the group to PECMAC.

It was agreed that it would not be necessary to have “trip number” a mandatory field in the ERS system, but this should nevertheless be included as an optional field as some Contracting Parties use it despite there being no NEAFC standard for the start and end of a fishing trip.

It was agreed that although vessels’ international radio call sign would be used as the main identifier in the ERS system, IMO numbers should be included as a part of the system from the outset. This should make easier an eventual move to having the IMO number as the main identifier.

It was agreed that “planned activity” along with an estimated start time and other relevant details should be included in the ERS system, but only as optional elements and not mandatory.

It was agreed that the system should be designed to be prepared for reporting both on a haul-by-haul basis and a daily basis.

It was agreed that transhipment reports in the ERS system should be of two different types, respectively for donor vessels and receiving vessels, rather than having one type of transhipment report.
It was agreed that POR reports should only present quantities in live weight. Among the reason for this was to minimise possible errors in reporting and to facilitate cross checking with other report types (such as COX and TRA).

It was agreed that the Secretariat should start discussions with the current service provider regarding the possibility of reaching an agreement with them on being selected by NEAFC as a preferred partner in the development of the ERS system. No decision on such a selection would be made until more clarity would be reached on issues such as the tasks to be performed and the estimated cost. If agreement is not reached, the possibility of approaching another possible preferred partner or having a tender would be examined further. The Secretariat will consult PECMAC before making any final decision in this context, and will seek to get input from the Contracting Parties during all stages of the development of the system.

Regarding the connection between the existing NEAFC databases to the ERS system, it was agreed that for the user this should operate as one system rather than two. This should be done either by designing it as one system or by ensuring that there is a good interface between the systems. It was also noted that if two separate systems would be in use, i.e. one for the ERS, VMS, etc. and another for Annex II, Annex X and Annex XII reports and messages, not only would the Secretariat need to maintain two systems but the same would apply for the Contracting Parties. It was further noted that it would be useful if the introduction of ERS could be used to resolve issues that have been identified in the existing system. It was also noted that it might be useful to take a step-by-step approach to implementing the ERS system and to merging it with the existing system.

It was agreed that in discussions on what should be considered as an acceptable down-time for the ERS system and other NEAFC systems, including PSC, the 24 hour reference that is common in bilateral ERS agreements should be used as a point of departure. It was noted that limiting down-time would be particularly important at times when there was an active inspection presence in the Regulatory Area.

Other questions that are raised in document PE 2016-02-32 were discussed without a clear conclusion being reached. The AHWG ERS was invited to discuss these, and PECMAC will come back to these questions at its next meeting, as necessary.

7. Bottom fishing questionnaire (Recommendation 19:2014 as amended)
Completed questionnaires from all Contracting Parties, regarding VME reporting and control and enforcement of area management to protect VMEs, were presented.

It was noted that information had not been received from all relevant EU Member States, and that not all of those who had reported were compliant as the required procedures and systems were not in place for all of them. However, some EU Member States have no vessels conducting bottom fishing in the Regulatory Area and some do not have any fishing vessels operating in the Regulatory Area at all.

It was noted that Iceland was not fully compliant, as a system of automatic flagging of possible unauthorised bottom fishing was not in place. Iceland stated that they expected this to be rectified in 2017.
It was noted that all the required procedures and systems were in place in Greenland, but the
Faroe Islands were not fully compliant. The Faroe Islands expect this to be rectified before the
end of the year.

It was noted that both Norway and the Russian Federation were fully compliant in this
context.

The Chair stressed the importance of all Contracting Parties ensuring that they are fully
compliant as soon as possible, as these requirements were already in force.

The Chair stated that he expected the remaining replies to the questionnaire to be submitted as
soon as possible following the meeting, as the outcome of the questionnaire was intended to
form a part of the new Compliance Report to the NEAFC Commission.

8. **ISMS - Recommendation 11:2013 - Data security and confidentiality**
   No issue was raised under this agenda item.

9. **International cooperation**
   The Secretariat made a presentation on some of the international cooperation relevant to
   PECMAC which had recently been undertaken. This included:
   - Continued work with FAO on regional capacity building Workshops for the FAO Port
     State Measures Agreement, and preparations for cooperating with FAO on a new
     programme for national capacity building Workshops that will build on the regional
     ones.
   - Participation in the North Atlantic Coast Guard Forum, which was held in Riga,
     Latvia.
   - Participation in a joint FAO-IMO meeting on the fight against IUU fisheries.
   - Participation in a Chatham House event on the fight against IUU fisheries.
   - Participation in FAO COFI.

   The Chair further noted that he had participated as a representative of NEAFC at a meeting of
   UN/CEFACT in Geneva in April, where P1000 FLUX was formally adopted as a global
   standard for fisheries data exchange. It was noted that the Chair had made a presentation at
   that meeting, on NEAFC’s experience in using standards for communication of fisheries data,
   and took part in a panel discussion.

10. **Any other business**
    No issue was raised under this agenda item.

11. **Report to the 2016 Annual Meeting**
    The draft report of the meeting was circulated on 20 September 2016, and the final report was
    adopted through correspondence on 4 October 2016.

12. **Closure of the meeting**
    The Chair thanked all the participants for a fruitful meeting. He stated that great steps had in
    particular been taken regarding ERS, which made this a momentous meeting. The Chair
    wished everyone a safe journey home. He then closed the meeting.