Recommendation to amend Article 11 of the NEAFC Scheme of Control and Enforcement

As proposed by PECCOE, the Commission hereby adopts the following recommendation pursuant to Article 8 of the Convention

Article 11 - Vessel Monitoring System

1. Each Contracting Party shall implement a vessel monitoring system (VMS) for its fishing vessels exceeding 20 metres between perpendiculars or 24 metres overall length which fish, or plan to fish, in the Regulatory Area and:

   a. require its fishing vessels, fishing in the Regulatory Area, to be equipped with an autonomous system able to automatically transmit messages to a land-based fisheries monitoring centre (FMC) allowing a continuous tracking of the position of a fishing vessel by the Contracting Party of that fishing vessel in conformity with the specifications and schedule set out in Annex VII;

   b. ensure that the satellite device shall enable a fishing vessel to communicate by satellite to the Contracting Party messages relating to the following data:

      ▪ the vessel identification;
      ▪ the most recent geographical position of the vessel (longitude, latitude) with a position error which shall be less than 500 metres, with a confidence interval of 99%;
      ▪ the date and time of the fixing of the said position of the vessel;
      ▪ the speed and course at the time of fixing of the said position of the vessel;
      ▪ where applicable, data relating to the catch on board;
      ▪ where applicable, data relating to transhipment.

2. Each Contracting Party shall take the necessary measures to ensure that the FMC receives through the VMS the messages requested in paragraph 1(b).

3. Each Contracting Party shall ensure that the masters of fishing vessels flying its flag shall ensure that the satellite tracking devices are at all times fully operational and that the information in paragraph 1(b) is transmitted. In the event of a technical failure or non-operation of the satellite tracking device fitted on board a fishing vessel, the device shall be repaired or replaced within one month. After this period, the master of a fishing vessel shall not be authorised to commence a fishing trip with a defective satellite tracking device. Where a device stops functioning and a fishing trip lasts more than one month, the repair or the replacement has to take place as soon as the vessel enters a port, the fishing vessel shall not be authorised to continue or commence a fishing trip without the satellite tracking device having been repaired or replaced.

4. Each Contracting Party shall ensure that a fishing vessel with a defective VMS tracking device shall communicate, at least every 4 hours, reports containing the information in paragraph 1(b) to the FMC in accordance with the format set out in Annex VIII (5).
5. Contracting Parties shall establish a data-base delimiting the Regulatory Area by latitude and longitude co-ordinates. This shall be without prejudice to each Contracting Party’s position concerning the delimitation of sea areas under their sovereignty and jurisdiction.

6. In respect of bottom fishing in the Regulatory Area, the following additional provisions shall apply:

   a. Each Contracting Party shall implement an automatic system able to monitor and detect possible bottom fishing in areas outside the existing bottom fishing areas, and possible fishing inside closed areas.

   b. The NEAFC Secretary shall keep a record of all closed areas, including their coordinates, date and time of implementation, unique name and number and validity as applicable. The Secretary shall notify all Contracting Parties at least one month in advance of any changes or additions to the existing list.

   c. Each Contracting Party shall ensure that delimitations of closed areas are installed in their Vessel Monitoring Systems according to coordinates contained in Recommendations in force.