Recommendation 15 : 2013

THE NORTH-EAST ATLANTIC FISHERIES COMMISSION AT ITS ANNUAL MEETING IN NOVEMBER 2012 ADOPTED, IN ACCORDANCE WITH ARTICLE 5 OF THE CONVENTION ON FUTURE MULTILATERAL COOPERATION IN NORTH-EAST ATLANTIC FISHERIES, A RECOMMENDATION TO AMEND ARTICLE 13 “COMMUNICATION OF TRANSHIPMENTS” PARAGRAPH 1 OF THE NEAFC SCHEME OF CONTROL AND ENFORCEMENT

Background:

The paragraph 1 of the Article 13 of the Scheme of Control and Enforcement (hereinafter referred to as the Scheme) is applied in respect of communications of transshipment operations of regulated resources undertaken within the NEAFC Regulatory Area.

Furthermore, the paragraph 1 of the Article 13 of the Scheme is also applied to communicate landings by receiving vessels by requiring to submit the information in accordance with the POR (Port) report though it is not explicitly stated neither in the title of the mentioned Article nor in its content.

Moreover, if to refer to Article 2 of the Scheme it reads as follows:

“Unless otherwise stated, this Scheme shall apply to all vessels used or intended for use for fishing activities conducted on fisheries resources in the Regulatory Area”.

So, one can read and implement this Article when fishing and operating within the NEAFC Regulatory Area.

The unclear requirement of the paragraph 1 of the Article 13 to submit POR (port) report not depending where the port of landing is causes its incorrect implementation and confusion.

Therefore the Russian Federation proposes the following changes of the Article 13:

Proposal:

Article 13 – Communication of Transhipments and of Port of Landing

1. Each Contracting Party shall ensure that its fishing vessels engaged in transhipment operations involving regulated resources shall communicate reports of transhipments in accordance with the specification and format set out in Annex VIII by electronic means to their FMC.

These reports shall include the quantities on-loaded and off-loaded for each transhipment during the vessel’s stay in the Regulatory Area. Donor vessels shall make this report at least 24 hours in advance, and concerning receiving vessels this report shall be made no later than one hour after transhipment. The report shall include the date, time, geographical position of the planned transhipment and total round
weight by species to be off-loaded or which have been on-loaded in kilograms and the call signs of vessels transhipped to or from respectively.

Without prejudice to Chapter V, each Contracting Party shall ensure that its fishing vessels, subsequent to having been involved in a transhipment operation involving regulated resources in the Regulatory Area as receiving vessel shall report total catch onboard, total weight to be landed, name of port and date and time of landing at least 24 hours in advance of any landing, regardless of whether the landing is to take place in a port inside or outside the Convention Area. Each Contracting Party shall ensure that the report of port of landing is communicated in accordance with the specification and format set out in Annex VIII by electronic means to their FMC.

2. The reports shall be given according to the specification set out in Article 12(2).