PERMANENT COMMITTEE ON CONTROL AND ENFORCEMENT, PECCOE

13 & 14 October 2009
NEAFC HQ    London

Report

1 Opening
The Chair, Mr Martin Newman, EU, opened the meeting welcoming everybody. All Contracting Parties were present. No Party wished to make an opening statement.

2 Appointment of the rapporteur
The Secretariat was appointed rapporteur

3 Discussion and adoption of the Agenda
The agenda, document PECCOE 2009-02-01, was tabled. It was circulated in early September. There were no comments. An annotated agenda had been circulated subsequently.

The EU had asked for an additional item under 4, “4.3 Report by the EU on the use of information communicated pursuant to Articles 11, 12 and 13 of the Scheme”.

The EU representative wanted to discuss electronic logbooks which will be introduced on 1 January 2010. He would ask for an exemption in the Scheme allowing for this. The representative of the Russian Federation drew attention to their proposal to amend Chapter V of the Scheme. The Chair suggested that this was dealt with under agenda item 5. The Norwegian representative noted that they had issued a revised version of PECCOE 2009-02-14 on the prohibition of discards. The revised version should form the basis for discussions.

The Chair informed that the PEW Foundation would make a presentation on vessels on IUU list of various RFMOs, for information, under any other business. Under item 9 there would be a presentation by a representative of the FAO on a possible role for NEAFC in creating a global record of fishing vessels. It will be taken together with agenda item 8, a Norwegian proposal to require IMO numbers for fishing vessels.

The agenda was then adopted.
4 General Scheme implementation and compliance

4.1 Redfish fisheries special control measures

The Chair went through the specific rules of the measures introduced for this year’s fishing season in the Irminger Sea.

He invited the Secretariat to start the discussion with a general overview. The Secretariat noted that certain flag states still had problems although there was general improvement. There were problems with the dates for catch reports. In the box in the Irminger Sea daily catch reports applied, but a special report for the box is not required in the monthly catch report. In the Norwegian Sea there are still problems when comparing daily and monthly data. He noted that some operators are still confused about the Scheme.

The Chair summed up that there was some improvement, but there was still a way to go.

The EU representative asked if the problems with dates of reporting catches stemmed from reporting by the vessel or the FMC.

The Secretariat answered that for some flag states it was not possible to say. Some flag states are consistent some are not. He also noted that the VMS database at the moment cannot produce automatic reports. That will change, but with inconsistent data there will still be problems.

The Icelandic representative commented that if there are problems we should be able to correct them. In general he asked why really people are so ignorant about the system. NEAFC leads in this field. The original objective had been to make information available to inspectors, but much of the information is rubbish and cannot be used. He had submitted a discussion paper, PECCOE 2009-02-09, in which he called for a thorough review of the system in order to locate problems and see whether FMCs are really compliant - not being compliant is effectively IUU fishing. He suggested setting up a small group to go through the whole system. The representative of Denmark (in respect of the Faroe Islands and Greenland) suggested following the NAFO procedure where the Secretariat lists the problems of different FMCs for them to address. The Icelandic representative pointed out that the Secretariat already reports problems, but to no avail. The Norwegian representative thought that the Secretariat was best placed to make information on problems available to Contracting Parties. The EU representative thanked the Icelandic representative for their discussion paper and felt that perhaps it was time for a naming and shaming exercise. He asked if the Secretariat had the resources to do the job.

The Chair summed up that there seemed to be two options. 1. a Working Group and 2. that the Secretariat delivered the same information as in NAFO to Contracting Parties and FMCs. The representative of Denmark (in respect of the Faroe Islands and Greenland) noted that the process in NAFO was aimed at helping FMCs to improve. He thought that it would be most efficient if the Secretariat was in charge. The Secretariat felt that the results of its reporting hitherto had not had much effect. Changes in personnel at FMCs were a problem. If the Secretariat was asked to do the reporting they would, and it may help the daily running of the system because a great deal of time was used to sort out recurrent problems with FMCs.
The representative of Denmark (in respect of the Faroe Islands and Greenland) thought that the NAFO compliance report had helped. The Icelandic representative accepted that, but more should be done than just drawing the attention of FMCs to errors. There was probably a case for looking into the possibility of improving technical aspects of the Scheme. The education of inspectors was very important and he was willing to share Icelandic experience on this. The Norwegian representative supported the Icelandic representative and noted that there was a need for harmonisation between fisheries jurisdictions, hopefully ending up with similar reporting requirements to make things easier for the fishermen. He certainly saw scope for simplifying things. The changes in the system in recent years had not been easy to implement.

The Chair concluded that the Secretariat would produce a report that clearly identifies where there are problems. The possibility of simplifying the system should be investigated. The redfish arrangements were very complicated and had obviously created problems. He felt that fishing vessels had fewer problems than the FMCs. It was necessary to look at electronic logbooks which may open up for a more harmonised system. He agreed with the observation of the Icelandic representative that NEAFC’s reputation was at stake.

**Actions arising:** The Secretariat will prepare a report detailing problems encountered. Contracting Parties should - in preparation for the next meeting - consider whether simplifying the system would reduce problems. Parties introducing electronic logbooks will inform PECCOE about possible enhancement of reporting.

### 4.2 New system for monthly catch reporting (Art. 10)

The Secretariat introduced PECCOE 2009-02-13 and 05 describing the changes to the monthly catch reporting system suggested by the Statistics Working Group. The representative of Denmark (in respect of the Faroe Islands and Greenland) thought that it was important to have all rules in the Scheme and felt that giving responsibility to another Group could cause more confusion.

The Secretariat recapitulated the story of Article 10. It was connected with the reporting under the North Atlantic Format. Only one CP at present reports according to that original plan.

The Chair said that Annex VI could probably be taken out of the Scheme and Article 10 modified according to the proposal of the Statistics Working Group. He saw a need for a comprehensive compilation of all measures in one place.

The EU representative saw a problem with modifying Article 10. It raised the question as to where inspectors can find all measures in force. He suggested that delegations gave this some thought and came back to the issue. The Chair saw a distinction between management measures and control measures. It should also be indicated how a measure was enforced. The Norwegian representative felt that the information on the NEAFC website was confusing. This should be reflected in the report from this meeting. Based on this, parties should try to reach consensus on a proposal as to how to bring into place a more coherent presentation of measures and
how they are enforced in one place. The representative of Denmark (in respect of the Faroe Islands and Greenland) pointed out that it was quite difficult to find out which mesh sizes were in force. Even with his 10 years experience in NEAFC it was a task.

The Chair had drafted a text (PECCOE 2009-02-23) to amend Article 10 in the light of the proposal from the Statistics Working Group. The text would replace the text in Article 10 at present, when the new system enters into force. The Secretariat drew the attention of the meeting to the fact that the heading of Article 10 had referred to effort since 1999, but there had never been any reporting of effort. The representative of Denmark (in respect of the Faroe Islands and Greenland) proposed taking out any reference to effort. This was agreed.

It was noted that the new system does not start until 2011 so the present system has to continue until the new system is implemented. Article 10 of the Scheme should not be changed until the proposal for a recommendation according to Article 9 of the Convention has been adopted.

Annex VI can be taken out of the Scheme.

**Actions arising:** A recommendation (drafted by the Secretariat based on the text agreed) will go forward to the Commission at the next Annual Meeting if the Commission adopts the new system for reporting monthly catches.

The Secretariat will ensure that all measures and how they are enforced in one place are more coherent and comprehensively presented at the website in one place and with links for topical cross-referencing of measures.

### 4.3 Report by the EU on the use of information communicated pursuant to Articles 11, 12 and 13 of the Scheme

The EU representative introduced PECCOE 2009-02-17 reporting on UK surveillance of the Hatton Bank, NW Rockall, W Rockall and the Rockall Haddock box and the Irish surveillance of the Rockall Haddock Box, SW Rockall and the Logachev Mound.

He found that surveillance had made it possible to assess compliance and had assisted efficient planning of the deployment of surveillance means. He concluded that compliance with closed areas was satisfactory and monitoring and surveillance was efficient.

The Chair asked if there were any comments. The representative of Denmark (in respect of the Faroe Islands and Greenland) noted the usefulness of VMS data in monitoring closed areas. It would be even better if the frequency of reporting was increased to one hour. The Chair asked if it would be possible for Iceland to report in a similar way on the monitoring of the redfish fishery in the Irminger Sea, especially with respect to the box.

Marine Scotland and the Irish Sea Fisheries Protection Authority gave a presentation on the detailed data. Scotland covered the area north of 56 degree and Ireland the area south of that. The VMS data were activated by alarms for vessels with a speed of less
than 5 miles, assuming that these were the vessels fishing. The VMS information was supported by surveillance by air and sea inspection platforms. It was concluded that it seemed to show that it was possible to enforce area closures effectively.

The Chair thanked the presenters and found that this practical example was important when discussing the questions referred to PECCOE by PECMAS on control aspects of closed areas.

**Actions arising:** Iceland will consider reporting in a similar fashion on the surveillance in the Irminger Sea redfish fishery, especially with respect to the box.

### 5 Port State Control

#### 5.1 Review of the Port State Control System

**Annotation:** The Secretariat reported no problems with running the system.

#### 5.2 Possible digitalisation forms (PSC1 and PSC2)

**Annotation:** The Secretariat demonstrated on screen the draft digitalised form that has been developed.

The EU representative asked about the sequence of notifications. The Secretariat informed that, as the electronic form is now set up, the Port State and the Flag State receive the information at the same time. The EU representative related this to the FAO Port State agreement and the current NEAFC Scheme. The Secretariat noted that with a paper trail the sequence was set, but electronically it was possible to speed things up and inform the Flag and Port State at the same time. The EU representative saw some possibility of confusion. He suggested that the Flag State should be informed when the port State has acknowledged receipt of the notification to prompt it to complete part B. It was noted that, with respect to the FAO agreement, NEAFC was simply two steps ahead.

The Icelandic representative complimented the Secretariat on progress. He did not see that sequence was a big problem. He thought that it was better that both parties were informed simultaneously. Anyway it was not possibly to fill in part C before part B had been completed.

The representative of the Russian Federation referred to the problem of identifying areas outside the NEAFC Convention Area. There is only one box “other areas”. Can it be broken down? The Secretariat suggested that this could be done with the FAO 3-alpha code. NAFO areas could be given by NAFO subareas. The Russian Federation had particular problems with the area east of Novaya Semya. The EU representative suggested that this could be dealt with by indicating whether the catch was taken outside the NEAFC Convention Area. The Secretariat pointed out that “X” codes could be created as necessary. The representative of the Russian Federation was invited to propose areas. It was agreed that NAFO should be reported by NAFO subareas. The EU representative noted that the form had come a long way, but he thought that there should be a way to secure the correct sequence of notifications.

The representative of Denmark (in respect of the Faroe Islands and Greenland) asked how the PSC fitted into the new EU IUU regulations. Will the EU accept the PSCs as
necessary catch documentation? The EU representative saw possibilities for harmonising Port State control and IUU measures, but could not be more specific at this point. The Chair noted that at present the NEAFC and NAFO documents have not been accepted under the EU IUU system, but ICCAT and CCAMLR catch documentation has been accepted. The representative of Denmark (in respect of the Faroe Islands and Greenland) asked if the documents were very different. The Chair found that it was more a question of the process than the documents themselves in the IUU control process. Catch documentation was more the domain of custom officials. The EU representative said that there were stricter requirements to the validation of the documents. He added that it was desirable to look at the FAO framework and he intended to make proposals, if appropriate, that could harmonise Port State measures with other schemes dealing with IUU issues.

The representative of Denmark (in respect of the Faroe Islands and Greenland) felt that NEAFC had created a very successful catch documentation system, but it seemed that we could end up with two or more systems of documentation. The Icelandic representative felt that the EU had ignored the NEAFC and NAFO systems. The EU representative disagreed and said that the EU IUU regulation simply went further while the NEAFC forms met most of the IUU requirements. After 1 January 2010 a catch document has to accompany imports into the EU, but that will be the responsibility of the importers. The Secretariat noted that with the electronic form there was no limit to what can be included in the PSC forms. The Icelandic representative said that this was very important, because it allowed the inclusion of additional information. It would allow the vessels, the flag and the Port State to add explanatory text.

**Actions arising:** The box “other areas” will be amended and Contracting Parties can submit proposals for additions to the category.

The EU will consider making proposals, if appropriate, that can harmonise the Port State System form with other schemes dealing with IUU issues.

5.3 Proposal from the Russian Federation to amend Chapter V of the Scheme.

The Chair invited the representative of the Russian Federation to introduce his proposal which seeks to clarify the track of information in Article 23, point 4 and new point 5. Point 4 clarifies how the Port State decision is communicated to the master or his agent, point 5 how to avoid duplication of Port State procedures He illustrated this with an example where a vessel - after transhipment in Tórshavn - proceeds to another foreign port and has to go through Port State control procedures once again.

The Chair thanked the representative of the Russian Federation for the proposal, which he found very clear. The EU representative suggested using the phrase “the master of the vessel or his representative”. The proposal was seen as an improvement by the other parties.

The Chair asked if it was enough to inform the master of the receiver vessel. The Icelandic representative pointed out that only the receiver vessel was of interest with respect to the landing. This was generally agreed. The EU representative saw a
problem when transhipments take place in ports. Perhaps it would be better to say landing “or transhipping its own catch in port” in sub paragraph 2(a) of Article 22.

The Icelandic representative did not see that this mattered. Article 23 authorises both transhipment and landing. The EU representative said that his point was that the name of the vessel which is to receive the transhipment in port should be on the PSC1 form. The Icelandic representative still could not see that this mattered - what is controlled is the catch of a fishing vessel.

The second proposal covers the situation where a vessel takes landed or transhipped catch to another foreign port. In this case the vessel is performing a simple cargo operation, The Icelandic representative found that there was no difference in this case between transporting fish taken aboard a vessel in the port from other vessels or a vessel takes on board cargo from one port to another port.

The representative of the Russian Federation wanted to avoid double accounting and to replicate the same information as the Russian Federation had to process the bulk of PSCs. The Icelandic representative recalled discussions of a situation where a vessel had transhipment in the Regulatory Area and then went on to take on board cargo in a port. A difference should be made between what is landed for the first time and cargo. It should be made as simple as possible.

The EU representative agreed, but wondered whether Article 20 was clear enough for people that had not participated in the original discussions in PECCOE. The Norwegian representative described a situation where a vessel takes cargo in a Port State, then goes to fishing grounds, receives catches via transhipments at sea from donor vessels and then goes to land in a different Port State. Was that covered? The EU representative thought so. This should be considered as transhipment at sea, and the landing reported using the PSC 2 form. The Icelandic representative thought that there may a need for clarification. The EU representative suggested that parties reflected on this and come up with a proposal for text that clarified the situation. The Norwegian representative noted that no background had been given for the proposal. Now there had been a chance to discuss the matter, discussion should be reflected in the report of the meeting to form the basis for further consideration.

The Chair said that the discussion had demonstrated that in some cases there could be fish not previously landed together with fish that had gone through the Port State Control system. The Icelandic representative thought that we may find text that covered this in NAFO or FAO systems. The EU representative said that the text in NAFO is “fish not previously landed or transhipped in port”.

The representative of the Russian Federation informed that Russian Federation Port Control authorities work according to domestic law firmly based on the NEAFC and NAFO measures. He would like to get more information about national measures. He mentioned particularly the Norwegian and the Icelandic systems where some requirement seemed to be outside the scope of frozen landings, referring to fresh fish.

The Norwegian representative informed that there had been a change in the legislation. It is now necessary to account for all marine catch, not only frozen products.
The Icelandic representative explained that in Iceland this had to do with conversion factors and that heads and tails also have to be reported.

The Chair noted that things were quite straightforward, but there are always a few odd cases. The question is whether it is necessary to amend the Scheme to cover these.

The proposal on Article 23.4 had been agreed earlier in the meeting. With respect to the proposed new Article 23.5 it was stressed in earlier discussion that this only concerned the first time the fish was landed or transhipped in port. The representative of the Russian Federation suggested that one way to cover this would be to change the scope in Chapter V in Article 20. He suggested text to cover this. The Norwegian representative recalled that he had pointed out that there was no background to the proposal. He was not prepared to do anything as drastic as changing the scope at this point.

The Chair felt that it was clear what was intended. The first point was agreed, but the Norwegian representative wanted more time for consideration of the text. The EU representative found the proposed text a bit unclear. He read out the similar NAFO text. The Chair suggested that this should be put forward as a proposal for a recommendation with a reservation in order not to lose time to clear up ambiguities and CPs could make their point of view known when they received the report of the meeting. The text to amend the scope was circulated.

The Norwegian representative still felt that the Group should take time to consider this. The EU representative found the scope had not changed but had just been clarified. The text was further amended by the EU to make everything clear. The Chair asked if this text was acceptable. The Norwegian representative still had reservations because of the very short time to consider the issue.

The recommendation will not be submitted to the Commission in November if there is not consensus to go forward.

Actions arising: Article 23.4 of the Scheme will be amended as agreed and a recommendation drafted that also amends Article 20. If no consensus is reached on Article 20 it will not go forward to the Commission at this juncture.

6 Cooperative non-Contracting Party status

6.1 Application by Bahamas and Panama for Cooperative NCP status

Belize has submitted a formal application for renewal of its status. An application from St Kitts and Nevis had been discussed at the April 2009 meeting of PECCOE. Nothing had been heard from the Bahamas. They seem to have lost interest after the Thorgull was taken off the list. At the April meeting the point was made that St Kitts and Nevis may also lose interest after the Aquamarine was taken off the list. Panama has not made any contact. The Chair said that Japan, Canada, New Zealand and the Cook Islands should have applied for a renewal but no application had been received from them.
Belize complies with the Scheme regarding Port State Control. They do not send VMS data directly to the NEAFC VMS database. IMMARBE receives these data and they have reported some transhipments to NEAFC.

The Chair found that Belize seemed to meet some requirements, but perhaps not all. The EU representative found that the information submitted by Belize allowed NEAFC to check their operations. Direct VMS reporting may be lacking, but he found the information quite comprehensive. The Secretariat pointed out that requiring Belize to instruct its vessels to report directly into the NEAFC database raised the question of whether the same should be required of Contracting Party vessels.

The Chair summed up that for Japan, Canada and New Zealand the renewal of cooperative status may be a formality, but the Cook Islands should have applied. The correspondence with St Kitts-Nevis should be reviewed.

Belize has applied for renewal of its cooperative status. St Kitts-Nevis has indicated that they will apply next year in September. No applications have been received from other non-Contracting Parties.

The Committee will propose to the Commission that the cooperative status of Belize, Canada, Japan and New Zealand be renewed.

**Actions arising:** The Committee will propose to the Commission that the cooperative status of Belize, Canada, Japan and New Zealand be renewed

### 7 IUU Lists A and B

At the PECCOE meeting in April it was agreed that Contracting Parties and the Secretariat should compile evidence with respect to vessels on the B-list, which could form a basis for taking vessels off the list if they demonstrably have been scrapped, have sunk or in other ways are not operational.

The Norwegian representative introduced PECCOE 2009-02-12 presenting information from Lloyds on 9 vessels on the B-list. In addition, he informed that the Nemanskiy is being broken up in Fosen, Norway. The yard will issue a condemnation certificate when scrapping has been finalised. The representative of the Russian Federation informed that in May 2009 the vessel Dolphin was struck off the Russian Federation Maritime Registry. The vessel will be scrapped in Murmansk. The EU representative informed that the Red has been moved from Aveiro to Lisbon and was being scrapped. It was also mentioned that the Sunny Jane is derelict. Referring to the Norwegian condemnation certificate he asked how much evidence of scrapping do we need to take a vessel off the list as it may not always be possible to get a certificate.

The Chair found it helpful to have certificates, but did not see it should be mandatory. He suggested that the 9 vessels on the Norwegian list should be removed. The Norwegian representative trusted the Lloyds system, but to make things simple it should be possible to get a letter from scrap yards to confirm scrapping. The EU representative was not sure that all information from Lloyds could be trusted, but would support vessels on the Norwegian list being taken off the B-list.
It was agreed to propose to the Commission to take off the 9 vessels and wait for more confirmation on the Nemanskiy, Dolphin, Red, Sunny Jane and perhaps Murtosa. The Chair advocated prudence when removing vessels from the list.

The Secretariat informed that, even if vessels are struck off the list, inspectors will have access to their event log, including IMO numbers, allowing inspectors to go back. The EU representative found that useful. We should keep the record, close the file and allow restricted access to it.

**Actions arising:** A proposal to amend the B-list as agreed will go forward to the Commission.
The records of vessels taken off the list will be kept, the file closed and there will access for inspectors to file.

### 8 Proposals from Norway

#### 8.1 To add fishing vessels’ IMO number in notification

This proposal was circulated to PECCOE on 2 September. This is linked to the requirements for a unique vessel identifier, UVI, in the Global Record of Fishing Vessels.

The Chair invited the Norwegian representative to introduce PECCOE 2009-02-03. She noted that IMO numbers were the only secure identifier of a vessel and should be required in notification.

The EU representative thanked the Norwegian representative for the proposal. He referred to the EU fishing fleet register he had described earlier. In most cases the EU cannot provide IMO numbers for notification, only refrigerated cargo vessels are required to have IMO numbers. The EU representative could commit to giving IMO numbers if available to the Community Fleet Register, but in most cases they would not be. There is no legal requirement for fishing vessels to have IMO numbers. The Norwegian representative asked about the vessels operating in the Regulatory Area. Would they not have IMO numbers?

The representative of the Russian Federation informed that Russian Federation vessels in the Regulatory Area have IMO numbers and he would support the Norwegian proposal. The representative of Denmark (in respect of the Faroe Islands and Greenland)-Faroes agreed with the EU representative and pointed to IMO resolution A600 (15), which exempts a number of vessel groups, including fishing vessels, from the requirement to use IMO numbers. The EU representative once again stressed that there was no legal basis for demanding IMO numbers for fishing and it would be a long and costly process to introduce a new system in the EU. The EU UVI consists of a 3-alpha country code followed by 9characters. This will never change in a vessel’s lifetime. The representative of Denmark (in respect of the Faroe Islands and Greenland)-Greenland could support the Norwegian proposal if it became optional. Greenland used the same identifier as the EU being close to the Danish registry. That worked very well.
The Icelandic representative informed that all Icelandic vessels large enough to fish in the Regulatory Area have IMO numbers.

The Norwegian representative felt that there was agreement that vessels should be uniquely identified. He hoped everybody could agree to that.

The Chair listed the requirements and options in Annex II of the Scheme. The Secretariat pointed out that only the EU (and perhaps Greenland) uses internal numbers. The system could be opened to allow the use of either the EU system or IMO as UVI.

Looking forward, the Norwegian representative felt that there should be agreement on the principle of one UVI following a vessel all its life. NEAFC as a leading RFMO should accept that principle.

The Chair pointed out that the EU identifier followed a vessel as long at it stayed inside the Community and was not exported. The Norwegian representative sought agreement on the principle. The Icelandic representative thought the task of making vessel information available to the global community should be kept apart from other activities in NEAFC. There would be a way to do this. The representative of Denmark (in respect of the Faroe Islands and Greenland) thought that a solution would be to add one data element, the IMO number if available, or an internal UVI.

The representative of Denmark (in respect of the Faroe Islands and Greenland) informed that the FAO text was “mandatory if available”. The EU representative agreed that a UVI was necessary, but an IMO number would be difficult. He suggested that we came back to this issue later.

The Chair agreed, but summed up that if it was left to the CP to decide what to put in as a UVI it could become complicated. The Icelandic representative did not see this had to be too complicated: the text of Annex II should be revised. A footnote could describe clearly what the UVI was.

The Norwegian representative felt that there was agreement that vessels should be uniquely identified.

PECCOE 2009-02-24 lists two proposals for the notification of fishing vessels with two options for identifying the UVI of choice.

The Chair suggested that the AGDC looked into the matter. Even if this was not very urgent it would be nice to get this in place.

**Actions arising:** No action will be taken at this point in time, although there was agreement that all vessels should be uniquely identified.

### 8.2 On discards

The Norwegian representative referred to discussions at the last Annual Meeting and the proposal adopted for terms of reference for PECCOE on discards. He introduced PECCOE 2009-02-14 rev 1. Norway has had a discard ban for the last 20 years. Various aspects of this measure have been extensively discussed, but he stressed that
the discard ban had a part in the success of the management of the cod stock in the Barents Sea. In FAO Norway had also raised the question of a global discard ban. The proposal covers, in addition to the stocks regulated by NEAFC, cod, haddock and shrimps fished in the Regulatory Area. Norway, the Faroe Islands and the EU have discussed this problem for some years and have agreed on a more limited discard ban for the pelagic sector. This is the basis for the present proposal. He then highlighted the actual proposal.

The Chair circulated the agreement on a discard ban between the EU, the Faroe Islands and Norway and asked delegations to consider the issue for further discussions.

The Chair later asked for comments, Parties had had time to consider the Norwegian proposal.

The representative of Denmark (in respect of the Faroe Islands and Greenland) had no problems in supporting the proposal for pelagic fisheries. However, the shrimp fisheries were a problem. Greenland had done a lot to minimise high grading and discards. The sorting grid minimised by-catch, but vessels were allowed to discard fish (which for hygiene reasons cannot be kept on the same deck as shrimps). No by-catch can be discarded unless the species composition and weight has been estimated.

The Icelandic representative echoed the points made by Greenland. However, they needed to look closer at the technical implications. The representative of the Russian Federation had the same concerns.

The EU representative felt that a number of issues had to be addressed - increasing the scope of the technical measures agreed for pelagic species was a political decision that should be taken by the Commission.

The Chair felt that everybody agreed that discards should be minimised. PECCOE should advise on how to achieve this. The agreement on pelagic species set out elements of technical solutions to achieve this; the question is whether PECCOE should do anything before the Commission had decided to extend the scope. Even in the agreement on pelagic species the move on rules were difficult to enforce as no minimum sizes were agreed.

The Norwegian representative welcomed the positive reception of the idea to ban discards. He accepted that things were lacking in the agreement on pelagic fisheries. He suggested that somebody should be tasked by the Commission to look into this problem. The representative of Denmark (in respect of the Faroe Islands and Greenland) suggested that we should split the problem by separating the pelagic fisheries and demersal fisheries. Marketable size may be better than minimum size.

The Chair accepted that NEAFC did not have any triggers such as minimum size. It was necessary to think carefully about this. The measures could be applied over all the Regulatory Area, but should be supplemented by other conservation measures. The Norwegian representative wanted to debate these problems to find solutions for the future. He would like advice from this meeting for the Annual Meeting on these issues.
The Chair suggested that the agreement between the Coastal States could be used as a stepping stone for progress. The measures lacking for pelagic species (sizes) should be mentioned. The next question was to expand the scope to other fisheries. The situation in other fisheries may be more complicated. He warned against creating very complicated control schemes because no agreement could be reached on conservation measures. The representative of Denmark (in respect of the Faroe Islands and Greenland) mentioned problems in the redfish fishery, for example with infested redfish and guts. The Chair referred to the redfish fishery as the most highly controlled unregulated fishery in the world.

However, we have to build on what has been done by the Coastal States for the pelagic fisheries. The EU representative asked if we should wait to see what happened at the Annual Meeting, getting a clearer mandate from a higher level. The Icelandic representative agreed.

The Chair concluded that the measures that have been agreed for the pelagic species could be extended to the Regulatory Area. To include other species would require more consideration and perhaps a clearer mandate.

The Norwegian representative informed that the issue would be raised at the Annual Meeting. It had taken note of the discussion and would use this to move the issue on. He asked if there was agreement that management measures should be presented in a more comprehensive form. The Chair suggested that the Secretariat undertook to compile this. The EU representative asked if this should be done on the website or in an Annex to the Scheme. The Secretariat informed that it had already looked at structuring measures in force topically. It was agreed that the Secretariat will prepare a first draft of this for consideration by PECCOE. The Secretariat pointed out that this demanded some discipline in drafting the recommendations. He mentioned the redfish mesh size as an example. The special redfish recommendation and conversion factor were another example.

**Actions arising:** The Committee agreed to take no action at this point in time. Norway will raise the matter at Annual Meeting, informed by the discussion of the Committee.

### 9.1 Discussion paper on exchange of inspectors

The Norwegian representative introduced PECCOE 2009-02-20. He gave the background and referred to the general mandate to control landings. The Icelandic representative had last year made a proposal to make exchange less formal and straightforward. It is proposed that new text be inserted in a new Chapter 5. The Icelandic representative fully supported the Norwegian proposal. The representative of Denmark (in respect of the Faroe Islands and Greenland) thanked Norway for the proposal and could support it. He asked what should be done if the inspectors in the country of inspection were not interested in inspecting the vessels. The EU agreed the text should state that the port state would allow that these inspectors could only accompany local inspectors. The problem was one of statutory power. Iceland had
tried last year and this summer to observe landings in other countries, but without any success.

The Chair suggested that the new article should be placed in Chapter 2. He pointed out that the procedure could involve both the port state where the landing take place and the flag state of the vessel landing. The Icelandic representative wanted general access to observe inspections of other Contracting Parties in foreign ports. The EU representative had felt that this proposal was outside the scope of the Port State Control System. There were also practical considerations and the proposed Article 20 had to be simplified to make the system work. The Icelandic representative had nothing against simplification and work on time limits, but the aim was simple and everybody was welcome to come to Iceland. The Norwegian representative informed that Norway had extensive experience with exchanging inspectors - the aim was transparency.

The representative of the Russian Federation described problems if they wanted to inspect, for example, in NEAFC - they could not get visas. The EU felt that the procedures for exchanging inspectors had to be simplified. He found that the practical concerns could decrease the transparency. The Norwegian representative had to accept that a party had the right to say no to an exchange, but if a party repeatedly said no it should be asked why. The Icelandic representative agreed and could not see why these problems could not be solved. The Chair explained that EU had had an informal very active exchange of inspectors with other parties. A very formal system was seen as an attempt to control other parties. The Icelandic representative had tried very hard to solve this both formally and informally and, with the exception of one Contracting Party, had had no positive response. Iceland considers that the formalities are included in the redfish agreements but not honoured by all Contracting Parties. The Icelandic representative offered to work with Norway to continue with this issue. However, as the matter had not been resolved, the EU volunteered to produce a new proposal.

It was agreed to proceed in this fashion

| Actions arising: The EU will - informed by the discussion - produce a new proposal. |

10 Presentation on the “Global record of Fishing Vessels”

The Chair welcomed Michele Kuruc and Shaun Driscoll from FAO. Ms Kuruc made a presentation which is available on the PECCOE meeting page of the NEAFC website.

The question of UVI was raised. The EU uses UVI, but only an estimated 5 % of a fleet of 90.000 fishing vessels are known to have IMO numbers. He asked if the cost of applying for an IMO number has also to be borne by vessels under 10 m. There is no legal requirement at the moment to have an IMO number, only a requirement for reefers to have an IMO number. FAO noted that there is no cost per se in acquiring an IMO number. Lloyds gives that free, but compiling the information may be a cost issue. IMO numbers are important for traceability. FAO has no firm position on how this should be solved, but only lists the problems that have come up. FAO has a database under the compliance agreement (the HASBAR) but it has not been very successful and should perhaps serve as an example of which problems to avoid.
The Chair stressed that traceability was of importance although there were also other concerns. The EU drew attention to the Equasis platform. The FAO answered that Equasis offered important information on how to run a public information platform. It could be cost effective to work with them, especially when running pilot projects. The EU representative said, from the enforcement point of view, a white list was of less use than a black list, which identified the vessels you do not want to have anything to do with. The FAO admitted that practitioners would have different priorities. The project had to look at the interest of all parties not only that of one group of practitioners. One should not underestimate the value of positive lists, which identified vessels which are legal and should receive services and privileges. There is also pressure from importers of fish to have information on whether catch comes from a legal vessel. This may increase interest for vessels to be on positive lists. The EU representative felt that port authorities would be interested in knowing which provisions were attached to a status - something similar to Equasis may be useful. He pointed out that RFMOs have both white list and black lists.

The Chair thanked FAO for the presentation, which he found a good introduction to agenda item 8.

Two observers from IMO, Mr Seong-yong Choi from the Maritime Safety Division and Vijayan Nadarajah, IT and information systems, attended the FAO presentation.

### 11 Any other business

#### 11.1 Cooperation with OSPAR on a Workshop with Key Stakeholders on Options for the Management of the proposed Charlie-Gibbs Marine Protected Area

This item was not discussed by the Committee. The workshop is planned for March 2010 in Madeira. OSPAR is interested in cooperating with NEAFC in monitoring and surveillance of closed areas.

#### 11.2 Control Aspects of proposed changes to the closed area on Hatton Bank

PECMAS has asked PECCOE to comment on the control aspects of a proposal to change the limits for the Hatton Bank closures, PECCOE 2009-02-15 The Chair drew attention to the EU report on surveillance and monitoring of the Hatton Bank closure. The EU representative felt it was important to note that the report from earlier in the meeting showed that it was possible to monitor and ensure compliance in closed areas.

The Chair proposed that the answer was, based on the report by Ireland and the UK, PECCOE could go along with the original ICES proposal underlining that VMS data should still be available for monitoring.

The Chair found it encouraging that it had been possible to make an informed opinion based on real surveillance data.
**Actions arising:** The proposal will go forward to the Commission with PECCOE’s comments on the control aspects.

### 11.3 Proposal to record depth in the fishery for redfish in the Irminger Sea

The Icelandic representative presented the proposal (PECCOE 2009-02-18) from the Coastal State meeting in early October. Recording depth was recommended by ICES in 2009. It was proposed to record depths above 500 m (Deep Pelagic Stock) and below (Shallow pelagic stock) above 500 m. The representative of the Russian Federation stated that they did not accept the ICES advice on this stock at present. The representative of Denmark (in respect of Greenland) asked whether all parties send logbook data to ICES. The Norwegian representative asked if this was a proposal where the scientists ask the control people to solve scientific questions. The Chair saw this as question as to whether PECCOE could find a technical solution to a problem.

The representative of Denmark (in respect of the Faroe Islands) observed that logbook data are not submitted to NEAFC and adding depth and gear to the CAT report should not be too difficult.

The Chair referred to the PECMAS note on the issue (PECCOE 2009-02-15). The Secretariat explained the background of the PECMAS request to PECCOE. NEAFC has since 2006 submitted certain data to ICES to make it possible for scientists to answer requests for advice from NEAFC.

The Chair referred to PECCOE 2009-02-15 and 18. The representative of Denmark (in respect of the Faroe Islands and Greenland) informed that in NAFO it had been agreed to increase reporting frequency to one hour to improve the basis for identifying VMEs. He would like to put this forward as a proposal.

The Icelandic representative agreed. Most countries already reported more frequently than 2 hours. He suggested that gear information should be tagged to the catch at entry report. Speed and direction is already in. The representative of Denmark (in respect of the Faroe Islands and Greenland) asked what gear information was needed. The EU representative pointed out that VMS data were for control purposes. ICES can get logbook data from flag states. The proposal would make it necessary for fishermen to make more complicated catch reports, leaving less time for fishing. To set up more frequent reporting would also involve extra work. The Secretariat pointed out that when the links to vessel identification were severed there was no way to identify the gear used.

The Icelandic representative pointed out that NEAFC asks for increased amounts of advice from scientists and so scientists must have access to data. The advice is almost demanded real time and cannot wait for logbooks to be processed. He felt however that accurate catch reports from vessels would solve much of the problem. The Norwegian representative did not have a problem with hourly reporting. The introduction of electronic logbooks would also have a big impact. The EU representative pointed out that electronic logbooks would make all information readily available to flag states. The question was how flag states make information required by scientists more easily available.
The representative of Denmark (in respect of the Faroe Islands and Greenland) felt that there was a need to better explain NEAFC data to the scientists. They seemed not to be aware of what data is in the system. The Icelandic representative doubted that electronic logbooks could solve all problems. We seemed to have problems with our current very simple system - the new systems would be much more complicated. The EU representative pointed out that in the present system human interference is needed to get a report to NEAFC. The new system could be automatic and not demand any intervention to produce a report, when the fisherman has finalised his logbook. The Iceland representative hoped the EU representative was right, but even simple systems could cause problems.

The Chair found that the list of items sent by ICES to be recorded is quite demanding. This was a kind of wish list that flag states may not be able to deliver on all points at present. The Norwegian representative informed that they had discussed with the EU how to exchange data based on electronic logbooks. Electronic logbooks allowed daily reporting to NEAFC of all details demanded. From pilot trials it was clear that this would provide data for both control and science at a scale not seen before. This may lead to proposals for changing the Scheme in 2011. The objective was to create a simpler and easier system of reporting.

The Chair thought that at least in some CPs there was hope of imminent solutions. The Icelandic representative pointed out that there were different approaches in different CPs and it would take time to get things up and running. In the meantime compliance had to build on the present system.

The EU representative suggested that this should be linked to Article 9 and had tabled a proposal (PECCOE 2009-02-21) which added a bullet point for recording fishing depth (where appropriate).

The Norwegian representative asked which depth should be recorded as scientists wanted to know the depth of fishing. This information had to be entered manually. He referred to Norwegian experience with reference fleets that were willing to give all information the scientists require. Cooperation with fishermen should solve the problem. Iceland was certain that fishermen knew exactly at which depth they fished. The Chair thought that this information should be related to conservation measures. The representative of Denmark (in respect of the Faroe Islands and Greenland) recalled that for a couple of years depth had been reported. He had nothing against adding depth as a bullet point in the logbook requirements as proposed by the EU representative.

The Chair stressed that PECCOE should deliver the framework for a solution if Contracting Parties wanted to implement a depth related measure. The representative of Denmark (in respect of the Faroe Islands and Greenland) recalled that for a couple of years depth had been reported. He had nothing against adding depth as a bullet point in the logbook requirements as proposed by the EU representative.

It was agreed to proceed in this fashion and follow the EU proposal. The Icelandic representative asked for NEAFC requirements for logbooks. The Secretariat answered
that the Scheme does not deal with logbooks. The Icelandic representative considered that a shortcoming. He felt it was important to create the relevant data element with a code. The EU representative pointed out that if depth is recorded in the logbook data will be available to the flag state which can forward the information to ICES. The representative of Denmark (in respect of the Faroe Islands and Greenland) and the Secretariat pointed out that there is still a need to create a data element and a code.

The Chair concluded that it was possible to give a positive response to the Coastal States on this request creating a framework without prejudicing any position on the management of the redfish stocks. This would be offered as a possible solution.

The EU representative proposed a code FD and a definition the depth below the surface to the lowest part of the fishing gear. The representative of Denmark (in respect of the Faroe Islands and Greenland) informed that a definition had been developed around 10 years ago and could be brought forward.

**Actions arising:** Depth will be added as a bullet point in the logbook requirements as proposed by the EU.

### 11.4 Presentation of data on IUU the PEW Foundation

Kristin von Kistowski and Gunnar Album presented the findings of the PEW funded study. Their presentation can be found on the PECCOE meeting page of the NEAFC website. The information is also contained in PECCOE 2009-02-19.

The Chair asked for comments. The EU representative asked how information on a port visit was linked with information on when vessels entered the B-lists. Mr Album informed how they had taken dates on entering the lists from the NEAFC event log and delisting from information from the Secretariat.

The EU representative pointed out those distant water IUU vessels very rarely entered ports. They tranship at sea and this explained why they were so sparingly observed. It may be difficult to really follow vessels and establish violations. Mr Album admitted that there was a problem in tracking vessels with no IMO numbers. He noted that Lloyds seemed to track reefers with IMO numbers better than fishing vessels with IMO numbers. The Icelandic representative thanked the PEW Foundation for the presentation and mentioned that force majeure had also to be taken into account.

The presenters would like to receive comments to over the next 3 months to ensure their information is as correct as possible.

### 11.5 Electronic logbooks

The EU representative introduced PECCOE 2009-02-20.

The Norwegian representative asked how inspectors got access to logbook information when the logbook was electronic. The EU representative replied that this was covered by the proposal. The representative of Denmark (in respect of the Faroe Islands and Greenland) was concerned about language. The Norwegian representative expected language problems with electronic logbooks.
The EU representative pointed out that the present text in the Scheme did not specify language and approved versions. This had been considered carefully in the Community delegation. The requirements for the electronic logbook would be the same as the bound logbook. The minimum requirements are specified in the Scheme in Article 19 and will not change.

The representative of Denmark (in respect of the Faroe Islands and Greenland) indicated that they could accept the proposal. If problems arose they could be looked into. The Norwegian representative asked about corrections and when they could be made. The EU representative repeated that nothing changed in substance and procedure, only the form of the logbook. The point was to exempt fishermen that had electronic logbooks from also providing a paper logbook.

The proposal was agreed and will be submitted to the Commission at the Annual Meeting.

**Actions arising:** The EU proposal was agreed and will be submitted to the Commission at the Annual Meeting.

### 12 Report to the 2009 Annual Meeting

The Report will be circulated Wednesday 21 October and Parties will have 1 week to comment on the first draft.

### 13 Closure of the meeting

The Icelandic representative commented on the remarks made by the FAO representatives under agenda item 9 that NEAFC was a leading RFMO and stressed his earlier comment that if solutions were not found for outstanding issues NEAFC’s reputation was at stake. The Norwegian representative thanked everybody for good cooperation.

The Chair closed the meeting at 5:30 pm wishing everybody a safe journey home.