Executive Summary

Compliance with Article 8 of the Scheme, Labelling of Frozen Fish, was discussed. It was agreed that there was no need at this point to make changes to Article 8 of the Scheme, but Contracting Parties should make efforts to ensure that the sector is informed about the rules.

The implications that the FAO PSMA may have on the existing NEAFC PSC were examined. An Ad hoc working group was created and met three times and both legal instruments were compared and eventual amendments to the Scheme identified. The main findings were in Chapter I, V, VI and VII. The most substantial differences were however in Chapter V, where the scope is today limited to frozen products, but the FAO PSMA covers all fish.

The formulation of a text to be included into the report to the Commission was agreed.

The Secretariat demonstrated the digitalised versions of PSC1 and PSC2 forms. The Secretariat pointed out the agreed start date of 1 January 2012 for the application of digitalisation of PSC1 and PSC2 forms. It was agreed that the Secretariat would provide a document for the next PECCOE meeting with a list of the problems that have been encountered, or with confirmation that no problems have been identified if that is the case.

It was noted that Japan does not intend to seek renewal of its cooperating non-Contracting Party status. No notification regarding interest in renewing cooperating non-Contracting Party status has been received from the Cook Islands.

It was agreed that PECCOE would recommend to the Commission that the cooperating non-Contracting Party status of Canada and New Zealand be renewed, provided that they
submitted all the information called for in Article 34 of the Scheme. The Secretary will write to both States to inform them of this conclusion and ask them to provide the information in time for it to be available at the Annual Meeting.

Based on information presented by the Secretariat and the EU, PECCOE was reluctant to recommend to the Commission that the cooperating non-Contracting Party statue of Belize be renewed. **It was agreed** that PECCOE would recommend to the Commission that the cooperating non-Contracting Party status of Belize be renewed on the condition that Belize successfully demonstrates in due time before the Annual Meeting that it is in compliance with all its obligations under the Scheme, including Articles 11, 13, 14 and 35. The Secretary will write to Belize to inform them of this conclusion and ask them to demonstrate this in time for the results to be available at the Annual Meeting.

**It was agreed** that PECCOE would recommend to the Commission that the cooperating non-Contracting Party status of Belize be renewed on the condition that Belize successfully demonstrates in due time before the Annual Meeting that it is in compliance with all its obligations under the Scheme, including Articles 11, 13, 14 and 35. The Secretary will write to Belize to inform them of this conclusion and ask them to demonstrate this in time for the results to be available at the Annual Meeting.

**It was agreed** that PECCOE would recommend to the Commission that the application of St Kitts and Nevis to become a cooperating non-Contracting Party be accepted. It should be made clear to St Kitts and Nevis in this context that it was expected of them that they would be fully compliant from the first day of deploying vessels in the NEAFC area.

Possible amendments to the Scheme regarding procedures for the listing of IUU vessels were discussed. The representative of Denmark (in respect of the Faroe Islands and Greenland) stated that he would take the comments that had been made at the meeting into account, as appropriate, and make another proposal that would be submitted to the next meeting of PECCOE for it to be discussed there.

**It was agreed** that the Secretariat will in future include the date when information was last received of a change regarding a vessel on the IUU list when presenting the list.

**It was agreed** that the IUU ‘B’ list, would be presented to the Commission in the form presented in Annex 1.

**It was agreed** that PECCOE would recommend the Commission to amend the last paragraph “Communication Security” of number 4 of Appendix 1 of Annex IX, in order to harmonise procedures with NAFO and finalise the HTTPS gateways discussion, adding new text.

**It was agreed** that PECCOE should consider the possibility of a thorough evaluation of points 1, 2 and 3 of Appendix 1 to Annex IX before the 2012 Annual Meeting and eventually update and improve the text.

**It was agreed** that PECCOE should consider the need for NEAFC to create an overarching Recommendation on security and confidentiality, in line with ISO 27001 standard, replacing number 4 (Provisions on Security) of the Appendix 1 of Annex IX.

**It was agreed** to send the questions as presented in Annex 2 to AGDC.
It was noted that the performance of FMCs continues to be a problem. Contracting Parties should make efforts to ensure that their FMCs improve their effectiveness as necessary. It was agreed in this context that holding seminars to improve the effectiveness of FMCs was a good initiative, and that when experience has been gained at the EU seminar in January it might be useful to consider whether other Contracting Parties wish the Secretariat to contribute to seminars that they may organise, or even if it would be useful to hold a NEAFC seminar with FMC personnel from all Contracting Parties.

It was agreed that the Secretariat should undertake a review of “reporting to the NEAFC Secretariat”, regarding redfish in the Irminger Sea and adjacent waters.

It was agreed that PECCOE shall begin to evaluate the effectiveness of the systems in place for verification of catches of redfish in the Irminger Sea and adjacent waters during the April meeting of 2012 and include the findings in the yearly report to the Annual Meeting of NEAFC.

There was a lengthy discussion on the most appropriate way forward regarding electronic logbooks. It was agreed that the Chair will report to the Commission at the Annual Meeting that PECCOE has been evaluating the issue of electronic logbooks and had consulted with AGDC. Nothing has been agreed on how a NEAFC electronic logbook system should be, but further work should be based on building a system that will be similar to the bilateral EU/Norway system, with possible further future development. However, the possibility of a completely new system was raised as well as if the Secretariat should store data or not. Consequently there are three main options:

- Keep the message / reporting system the same, but with the possibility of generating the different message types from the Electronic Logbooks
- Take note of the EU/Norway system and adopt as appropriate into the NEAFC system
- Reconsider the whole system and seek new solutions utilizing the available Information and Communication Technology

The Chair would seek a mandate for PECCOE to continue work on this basis.

There was a lengthy discussion on making daily catch reporting a general rule. There was no consensus on this. The representative of Iceland stated that as there will not be a recommendation from PECCOE to the Commission on this issue, Iceland intends to make a proposal regarding this issue at the Annual Meeting.

It was agreed to recommend to the Commission to adopt the proposal as presented in Annex 3, regarding error codes.

There was general agreement on the usefulness of making it possible to cancel reports. In this context it was agreed to recommend to the Commission that it adopt the proposal as presented in Annex 4.
A proposal for a NEAFC catch certification scheme was reviewed and agreement was reached on a text to be included into the report to the Commission in this context.

1. Opening of the meeting
The Chair, Mr Gylfi Geirsson, Iceland, opened the meeting welcoming everyone. All Contracting Parties were present. No Contracting 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 Chair tabled the agenda, document PECCOE 2011-03-01. A draft agenda was circulated before the meeting and no Contracting Party had made comments or suggested amendments. The representative of the EU suggested discussing the labelling of frozen fish, and a new item “4.1.2 Discussion of Article 8 of the Scheme” was added to the agenda. The agenda as amended was adopted.

4. Scheme of Control and Enforcement

4.1 Overall compliance evaluation

4.1.1 Implementation review by the Secretariat and CPs
The Chair drew the meeting’s attention to documents PE 2001-03-03 and PE 2011-03-21.

The representative of Iceland presented Document 03-03 and highlighted the main compliance issues still to be solved. He stated that data quality control is still an issue in some FMCs and without such quality control the work of the inspectors is weakened. He furthermore explained the system when a Contracting Party issues a notification to another Contracting Party and emphasised the importance of following procedures to avoid a vessel being reported with infringements in the annual report.

The representative of the Russian Federation stated that it is complying fully with the Scheme’s requirements.

The Chair encouraged all Contracting Parties to make efforts to increase the quality of data.

The Secretariat presented Document 2011-03-21 containing a correlation between transhipment reports received from Contracting Parties. This evaluation was requested during the first PECCOE meeting of 2011. It also correlates transhipment reports with port of landing reports.
The representative of the Russian Federation stated that a significant number of non-matching TRA reports would not be in the table if the “cancellation” report had already been approved as proposed by Russia.

The representative of Iceland noted the lack of compliance by vessels flying the flag of Belize.

4.1.2 Discussion on Art. 8 of the Scheme
The representative of the EU stated that EU surveillance had had many reports of infringements of Article 8 of the Scheme. The infringements were from vessels from four different Contracting Parties, including the EU itself. This had led to questions regarding whether something is unclear in the provision that should be cleared up. Everything seems to be clear, but with such widespread non-compliance it was considered appropriate to at least bring the issue up in PECCOE.

The representative of Norway stated that he was familiar with the problem. He said that the excuse that Norwegian officers had been given had not been a lack of understanding of the rules, but that they did not know that the rules existed. The representative of Iceland stated that the Icelandic experience had been exactly the same as Norway’s.

It was agreed that there was no need at this point to make changes to Article 8 of the Scheme, but Contracting Parties should make efforts to ensure that the sector is informed about the rules.

4.2 Port State Control

4.2.1 Implications of FAO PSMA
The Chair introduced the issue and briefly described the work of the ad hoc working group on Port State Control (AHWGPC). The AHWGPSC met 3 times comparing the existing NEAFC PSC with the FAO PSMA, and produced documents that were distributed by the CPs. He briefly introduced Documents PE 2011-03-06 and PE 2011-03-09, already distributed by the AHWGPSC.

The Chair identified the main issues (i.e. the scope) and listed the articles and annexes of the Scheme of Control and Enforcement that eventually needed amendment: Art. 1, 3, 20, 21, 22, 23, 25, 28, 29, 39, 40, 41, 42, 44 and 45; also Ann. XV, XIV and a new Ann. XVII.

The Chair thanked EU and Norway for their effort and work so far and invited other Contracting Parties to contribute.

4.2.1.1 Results of AHWGPSC meetings
The representative of Norway clarified that the possible amendments to the Scheme as discussed by AHWGPSC are marked in “track changes” in document PE 2011-03-09, and that additional amendments proposed by the EU and Norway after the last meeting of
the working group were added using two different colours, so that the EU proposals are in blue and the Norwegian proposals are in green.

The representative of the EU considered that the present task of PECCOE is to produce a conclusions text for the Commission, clearly indicating the views expressed. The main remarks would be: 1) that the scopes are very different and that changing to the FAO PSMA scope will have considerable implications on the port State workload; 2) that the strength of PSC is higher than the PSMA in some areas (i.e. validation by flag State) and that harmonisation with the PSMA should not weaken the PSC; 3) that the EU considers that PSC needs adapting to PSMA principles only when necessary and that Norway considers that harmonisation with PSMA text is needed; 4) that CPs should note that if each RFMO creates its own PSC independently then CPs will have to transpose to national legislation a large number of slightly different PSC systems; and 5) that the Commission will have to decide if the modified NEAFC PSC will come into force before the FAO PSMA or at the same time.

The Chair noted that it would be beneficial to get updated information from the FAO on progress regarding the ratification and possible coming into force dates of the PSMA.

The representative of Norway noted that the ratification process is important and reminded that the ratifications’ process of the Law of the Sea Convention had been very long but an important number of States were already applying it nationally before it came into force.

The representative of the EU informed that the EU has deposited on 7 July 2011 its instrument of approval with the FAO.

The representative of Iceland informed that Iceland will ratify within the new legislative year starting 1 October.

The representative of Denmark (in respect of the Faroe Islands and Greenland) informed that there was no clear date when the PSMA would be ratified by Denmark.

The representative of the Russian Federation also informed that ratification will happen soon but no firm dates have been set.

The Chair resumed the discussions and noted that it would be important to produce an agreed text to be included in the PECCOE report to the Commission. If a new mandate is set by the Commission then additional work needs to be done ahead of the spring meeting of PECCOE.

The representative of the EU considered that it was most important to inform the Commission of the main issues, to have further input from Denmark (in respect of the Faroe Islands and Greenland), Russia and Iceland to avoid another year of discussions and to request guidance from the Commission on how to proceed.
The representative of Norway agreed with the EU, noting that a number of important questions still need to be answered by the Commission prior to any further PECCOE work.

The representative of the EU noted that there are no fundamental problems, but different options on how to amend the PSC.

### 4.2.1.2 Report to the NEAFC Commission

The Chair resumed the discussion and encouraged Contracting Parties to produce an agreed text to be included into the report on this issue. The agreed text, contained in document PE 2001-03-33 rev1, which the Chair will present to the Commission at the Annual Meeting, is the following:

The NEAFC Commission mandated PECCOE to “examine the implications that the FAO Port State Measures Agreement may have on the Port State Control measures in the NEAFC Scheme of Control and Enforcement, and to propose any amendments required in a NEAFC context”.

The Ad Hoc Working Group on Port State Control of PECCOE met three times producing two documents, a comparison table outlining the main differences between NEAFC Scheme and FAO PSMA and a Scheme text where those differences were reflected, using track changes.

During the discussions it was clear that some Parties had the view that as the FAO PSMA is a minimum standard, the NEAFC Scheme should be amended to be in accordance with the minimum standard, in particular as the scope of the FAO PSMA is wider, applying to all catch, not only frozen catch. Others were of the opinion that the Scheme is more effective than the minimum standards set by FAO PSMA and therefore amendments should only be required where it diverged/collided with the FAO PSMA.

There are fundamental differences between the FAO PSMA and the NEAFC PSC in terms of scope. In order to be able to propose amendments to the Scheme, PECCOE asks for guidance from the Commission on three main issues of substance relating to the scope of the Scheme:

- **FAO PSMA applies to all fish while NEAFC PSC is limited to frozen fish caught in the Convention Area.** It has been noted that, should the requirement of the FAOPSMA be incorporated into the NEAFC Scheme, it would have severe implications for the inspection services if the current level of landings to be inspected is kept as it is.

According to FAO PSMA vessels shall request authorisation from the port State to be able to enter port, whereas the port State provisions of Chapter V of the Scheme, applying to Contracting Parties vessels, apply to landings or transhipments only. Should
Chapter V of NEAFC Scheme be extended to require request for entry for Contracting Party vessels?

- The definition of vessel in the FAO PSMA includes vessels carrying out fishing related activities, some of which are currently not covered by the Scheme, and fishing vessels not carrying fish onboard. Should the Scheme be amended accordingly?

The EU pointed out that the FAO PSMA applies to States, in their capacity as port States. Consequently legal drafting to bring the Scheme in line with the FAO PSMA could be limited to keeping only those provisions of the Scheme that go beyond the “minimum standard” set by the FAO PSMA. This is the technique used in the NEAFC Recommendation establishing procedures for settlement of disputes.

Parties noted that, according to the most recent information available from FAO Secretariat, the FAO PSMA will not come into force before the end of 2013.

4.2.2 Digitalisation of PSC1 and PSC2 forms

Under this agenda item, the Secretariat demonstrated the application in its single tester configuration.

The Secretariat pointed out that the discussion at PECCOE in May 2011 had settled some outstanding issues and resulted in the document PE 2011-01-38 and the agreed start date of 1 January 2012 for the application of digitalization of PSC1 and PSC2 forms.

The PSC application combines the digitalisation of both the PSC forms and the PSC authorisation chain. The forms are the result of a long consultation and agreement and so are very well understood, and so their digitalisation was a technical matter only. Creating an application to replace a paper system required additional decisions to be made regarding the management of the ‘workflow’ (authorisation chain) online and in this area it has been harder to reach decisions.

The application that launches on 1 January 2012 will be based on the existing forms and an authorisation chain / workflow based on the principles below, (decided at the May 2011 meeting of PECCOE, see documents PE 2011-01-39 and PE 2011-01-41).

1. Registered and Unregistered users can originate forms as it is the FS obligation to validate
2. Access control by individual username and password
3. Emails are supporting

(Note on point 2. This obliges the Contracting Parties to provide timely lists, and deploy reasonable user end security policies for managing their logins and passwords. It is a simple extension technically for Contracting Parties or Port States to manage own users, but this extension depends on overall priorities for NEAFC and this feature will not be included in 1 January 2012 deployment.)
Long standing outstanding issues were also noted. There were no further contributions to the discussion to resolve these, and there is also no suggestion that this should delay the agreed start date.

The issue of legal implications of Business Continuity failure with NEAFC as primary holders of data was also raised. PECCOE was asked to consider if it feels that this issue warrants additional attention. The Secretariat noted that this issue has been raised at several previous meetings and that there has never been a response to say that this issue does warrant specific attention. The technical questions regarding the type of back-up server this application requires will be addressed by the AGDC.

The representative of the Russian Federation stated that it was good to see that the comments made by the Russian Federation earlier in the process had been duly noted and acted upon. She further stated that it would be useful to have a fax based system as a backup system in case of failure. The Chair stated that having a backup system was certainly a good policy.

The representative of the EU stated that it would be useful to have a document from the Secretariat before the next PECCOE meeting with a list of the problems that have been encountered, or with a confirmation that no problems have been identified if that is the case. It was agreed that the Secretariat would provide such a document for the next PECCOE meeting.

### 4.3 Cooperative non-Contracting Party Status

The Secretariat informed PECCOE that Japan had notified its intention not to seek renewal of its cooperative non-Contracting Party status. Japan still expects to send an observer to this year’s Annual Meeting, and may seek the opportunity to send observers to future Annual Meetings without having a formal cooperative non-Contracting Party status.

No notification regarding interest in renewing cooperative non-Contracting Party status has been received from the Cook Islands.

Belize, Canada and New Zealand have all applied to have their cooperative non-Contracting Party status renewed. The issue of Belize is discussed under the following agenda sub-item.

The Secretariat pointed out that there had not been any activities by Canada and New Zealand in the Regulatory Area in recent years and thereby no problems regarding non-compliance have come up. Both countries have responded well to any requests for information from the Secretariat in previous years.

The representative of Iceland stated that both Canada and New Zealand are members of other regional fisheries management organisations, and generally have a good reputation as responsible fishing States.
The representative of the EU pointed out that, while he did not disagree with the statements that had been made regarding Canada and New Zealand, he could not overlook the fact that neither of the two had provided NEAFC with all the information that is formally required under Article 34 of the Scheme.

The representative of Norway stated that there was a need for a less complicated procedure to maintain cooperative non-Contracting Party status. Otherwise, these States might end up doing as Japan and simply stop seeking the status. He stated that it was useful for NEAFC to have cooperative non-Contracting Parties such as these two.

The EU pointed out that a year ago PECCOE had discussed the issue of the conditions set out in Article 34 of the Scheme and concluded that the information requested there must be presented every year.

After some discussion it was agreed that PECCOE would recommend to the Commission that the cooperating non-Contracting Party status of Canada and New Zealand be renewed, provided that they submitted all the information called for in Article 34 of the Scheme. The Secretary will write to both States to inform them of this conclusion and ask them to provide the information in time for it to be available at the Annual Meeting.

4.3.1 Belize compliance evaluation
The Secretariat confirmed that Belize had not fulfilled its obligations as a cooperative non-Contracting Party in recent years. The Secretariat had been in contact with Belize, which was aware of the non-compliance but had not managed to rectify the situation and had not prevented its vessels from operating in the NEAFC area while the problems are addressed.

The Secretariat stated that Belize was in talks with service providers, but that no HTTPS gateway had been established for automated data exchange. Furthermore, no notification (NOT) or authorisation (AUT) had been received; no ENT, POS or EXI messages had been received; no COE, CAT or COX reports had been received; and no TRA or POR reports had been received.

The representative of the EU stated that Belize’s non-compliance created problems for inspectors carrying out surveillance operations on the NEAFC Regulatory Area (Norwegian Sea) during July and August. No list of authorised Belize vessels was available through the website and the patrol vessel ‘Vestkysten’ had to wait one day in order to receive a list by e-mail from the Secretary. In addition, the fact that there were no position messages available made it very difficult to inspect vessels flying the flag of Belize. Also, several reports were received from Contracting Party vessels on transhipment to vessels flying the flag of Belize, but no corresponding reports were received from Belize transport vessels regarding these transhipment. Furthermore, there was an example of a vessel flying the flag of Belize frustrating an effort to inspect it by showing little will to co-operate in facilitating the boarding request from the inspection
vessel ‘Tyr’. Lack of compliance by Belize with the requirements of the Scheme greatly hindered the surveillance and inspection operations of EU inspection vessels.

The representative of the EU stated that this lack of compliance would certainly not be acceptable from a Contacting Party, and should not be acceptable from cooperating non-Contracting Parties.

The Chair noted that due to the non-compliance, PECCOE would not be in a position to recommend to the Commission that the cooperating non-Contracting Party status of Belize be renewed. However, he stated that PECCOE might still want to show flexibility to the extent possible. A way forward might be based on the conclusion that had been reached regarding Canada and New Zealand.

It was agreed that PECCOE would recommend to the Commission that the cooperating non-Contracting Party status of Belize be renewed on condition that Belize successfully demonstrates that it is in compliance will all its obligations under the Scheme, including Articles 11, 13, 14 and 35. The Secretary will write to Belize to inform them of this conclusion and ask them to make the demonstration in time for the results to be available at the Annual Meeting.

4.3.2 Application by St Kitts and Nevis

The Secretariat confirmed that, not only have St Kitts and Nevis provided the information requested, but they have now also successfully completed a trial to demonstrate that they can send the messages required.

The Chair noted that it was important that we do not only have information on how St Kitts and Nevis intends to comply with reporting obligations, but we have tested this and it works.

The representative of Norway agreed that this was very positive. However, he stated that he would want to see clearer information on the domestic legal framework. Nevertheless, he was content to accept St Kitts and Nevis as a cooperating non-Contracting Party as they had demonstrated that they could meet their obligations. If the domestic legal framework is lacking, this will become evident in practice and could then possibly affect future renewals of the status.

It was agreed that PECCOE would recommend to the Commission that the application of St Kitts and Nevis to become a cooperating non-Contracting Party be accepted. It should be made clear to St Kitts and Nevis in this context that it was expected of them that they would be fully compliant from the first day of deploying vessels in the NEAFC area.
4.4 Non-Contracting Party activities in the RA
There was very limited discussion under this item. What was discussed is reflected in the report under agenda item 4.3.1.

4.5 IUU activities in the RA

4.5.1 Possible review of procedures leading to the listing of IUU vessels
The representative of Denmark (in respect of the Faroe Islands and Greenland) introduced document PE 2011-03-08. He reminded the meeting of the fact that at the last PECCOE meeting, Denmark (in respect of the Faroe Islands and Greenland) had indicated that he would present a proposal to amend the Scheme. However, as indicated to the Secretariat when the comments to the current Scheme were submitted, this paper should not be seen as a proposal but rather as a discussion paper on which a later proposal may possibly be based.

The representative of Denmark (in respect of the Faroe Islands and Greenland) went over the substance of the issue that was discussed at the last PECCOE meeting, and presented the views that he had presented at that meeting, including stating how he considered things should have been handled differently under the current rules.

The Vice Chair (who replaced the Chair for a part of the meeting at short notice) asked the representative of Denmark (in respect of the Faroe Islands and Greenland) to explain the individual points in the document.

The representative of Denmark (in respect of the Faroe Islands and Greenland) stated that a key problem was that the Scheme currently has automatic procedures that do not offer an opportunity for rebuttal. He stated that this needed to be corrected. The document therefore includes suggestions for amending the Scheme in a way that would ensure that a coastal State would have to agree to any action based on activities that take place within waters under its national jurisdiction, when the legal basis of the relevant NEAFC Recommendation has a special application which comprises the entire Convention Area, also the maritime areas within national jurisdiction.

Furthermore, he stated that the NEAFC Convention only applies to waters within national jurisdiction in cases where Article 6 of the Convention is the legal basis. He therefore considered it necessary to amend the Scheme to ensure it is subject to that same limitation.

The Vice Chair pointed out that the conclusion of the last PECCOE meeting had been that procedures had been followed, but the situation at hand had not been foreseen in drafting the Scheme. It would not serve any purpose to revisit the discussion of the previous meeting.

The representative of Denmark (in respect of the Faroe Islands and Greenland) reminded the Vice Chair that during that PECCOE meeting the representative of Denmark (in respect of the Faroe Islands and Greenland) strongly stressed that its participation in that
meeting was not an acquiescence of an understanding that the right procedures had been followed, but rather to seek a prompt solution to the problem which had incurred.

The representative of Norway stated that the paper suggested changes that were too big for the purpose of preventing a repetition of the problems that had arisen in the summer of 2011. This approach would affect many other parts of the Scheme and result in unwanted changes in several unrelated issues.

The representative of the EU stated that he did not want to repeat the discussions of the last PECCOE meeting, and he would therefore not answer the substantive points regarding the events of the summer that the representative of Denmark (in respect of the Faroe Islands and Greenland) had raised. However, he pointed out that the Scheme had been developed over many years and adopted unanimously by all Contracting Parties. There had been a very serious problem of fishing by non-Contracting Parties and the Scheme had proved to be a very effective tool in bringing that to an end. A key part of what the Scheme did not foresee in what happened during the summer was the possibility that Contracting Parties would allow non-Contracting Parties to operate within their waters. He considered that the solution lay in ensuring a better exchange of information among Contracting Parties, rather than in amending the Scheme.

The representative of Iceland stated that he had similar concerns to those expressed by Norway and the EU. He said that when it came to amending the Scheme as proposed by Denmark (in respect of the Faroe Islands and Greenland) Iceland tends to take a conservative approach.

The representative of the Russian Federation supported the points made by Norway, the EU and Iceland. In particular, she considered it inappropriate to vastly limit the scope of the Port State Control measures as a result of the events of the summer.

The Secretary stated that due to the representative of Denmark (in respect of the Faroe Islands and Greenland) repeating previous statements on how the Secretary should have acted differently during the summer, he felt he had to refer to the explanations he had provided at the last meeting of PECCOE. He furthermore pointed out that, following the events of the summer, the President of NEAFC had called for a discussion on the role of the President and the Secretary to take place at the Annual Meeting.

The representative of Denmark (in respect of the Faroe Islands and Greenland) disagreed with the opinion that the unforeseen element that had caused problems was Contracting Parties authorising non-Contracting Parties to operate within their waters. On the contrary, NEAFC had no say in such matters unless there is a relevant Recommendation in place that is based on Article 6 of the Convention and the listings were done on a selective reading of the Scheme, the reason for which there is a need to revise the Scheme in order to ensure that such misapplications of the Scheme shall not be repeated.

The representative of Denmark (in respect of the Faroe Islands and Greenland) expressed his willingness to look at solutions that would result in fewer changes to the Scheme.
The representative of Norway asked if it was a correct understanding of what the representative of Denmark (in respect of the Faroe Islands and Greenland) was saying that he considered the decision to have the Port State Control measures in Chapter V of the Scheme apply to the whole Convention Area had no legal basis. The representative of Denmark (in respect of the Faroe Islands and Greenland) replied that the terms Regulatory Area and Convention Area were used in an inconsistent way in the Scheme and it was therefore necessary to improve the text.

The representative of Norway expressed his wish to have it noted that the other members of PECCOE were of the opinion that the Port State Control measures that were adopted in 2006 were appropriate and that they should not be changed. Whatever was done to address the issues that arose last summer should not interfere with that.

The Vice Chair said that PECCOE should work on the basis that the Port State Control measures are legal.

The representative of the EU made it clear that he was not suggesting that the Scheme was perfect and accepted that some minor changes could be beneficial for the Scheme, although overall it was good and had functioned well.

After some further discussion, the Vice Chair summed up the discussion as the representative of Denmark (in respect of the Faroe Islands and Greenland) suggesting possible changes that went much further than any other Contracting Party wanted. Their opposition to the changes that the representative of Denmark (in respect of the Faroe Islands and Greenland) was suggesting was not least based on them affecting unrelated issues, such as the Port State Control measures. However, he concluded that Contracting Parties were not necessarily opposed to more limited changes that would be more focused on preventing a situation like we had in the summer from coming up again. As a way forward the Vice Chair suggested that Denmark (in respect of the Faroe Islands and Greenland) consider making new and more limited suggestions that the other Contracting Parties might then consider.

The representative of Denmark (in respect of the Faroe Islands and Greenland) stated that he would take the comments that had been made at the meeting into account, as appropriate, and submit a discussion paper in due course. He stated that he would submit that proposal to the next meeting of PECCOE, for it to be discussed there.

4.5.2 Review of IUU lists A and B

The Secretariat confirmed that there have been no changes to the IUU lists after the amendments that were made after the last meeting of PECCOE.

The representative of the EU pointed out one error in the ‘B’ list, regarding the last known location of the vessel “Red”, and furthermore suggested that it might be useful to add to the list the date when information was last received of a change regarding a vessel. Other Contracting Parties agreed that this would be useful and the Secretariat confirmed that they will include that information in future.
It was agreed that the IUU ‘B’ list, would be presented to the Commission in the form presented in Annex 1.

There was discussion on the possibility of removing from the IUU list vessels that had in all likelihood been scrapped, where no confirmation of the scrapping was forthcoming from the flag State. It was acknowledged that it was usually only the flag State that could confirm such scrapping, as most States do not issue a certification of scrapping for vessels that are not flying their flag even if they are scrapped in one of their ports.

The representative of Denmark (in respect of Faroe Islands and Greenland) raised the issue of a vessel flying the flag of France apparently having the same IMO number as the ‘B’ listed vessel “Maine”. The representative of the EU explained that he had checked with the Lloyd’s register and according to all the information he has the IMO number is for “Maine”. He stated that this must be some misunderstanding and asked the representative of Denmark (in respect of Faroe Islands and Greenland) to provide further information if he has it.

4.6 Data Security and confidentiality

4.6.1 Updating and possible amendment of Appendix 1 to Annex IX
Discussions under this agenda item are reflected in the report under agenda item 4.6.3.

4.6.2 Possible amendment of Recommendation 13 – 2005
The discussions under this agenda item are reflected in the report under agenda item 4.6.3.

4.6.3 Possible new Recommendation on data security and confidentiality
The Secretariat pointed out that it would be preferable to have a comprehensive framework regarding data security and confidentiality. Reaching a conclusion on the basis of what was outlined in document PE 2011-03-27 would provide this. The approach is based on the relevant ISO standard. The Secretariat furthermore stated that technical aspects in this context should be discussed in AGDC, but PECCOE also needed to address the issue.

The representative of Norway stated that the paper that formed the basis of discussions in NAFO would be useful in this context, as it contained three questions that are also key issues for NEAFC. The paper was circulated for information. The representative of Norway also pointed out that the specific issues on page two of document PE 2011-03-27 should be the focus of the discussion within PECCOE.

The Secretariat furthermore introduced document PE 2011-03-32. The Secretariat clarified that the issue in the first paragraph (harmonising with NAFO and finalising the HTTPS gateways discussion) was for decision now but the other issues were for decision at a later stage.
It was agreed that PECCOE would recommend the Commission to amend the last paragraph “Communication Security” of number 4 of Appendix 1 of Annex IX, in order to harmonise procedures with NAFO and finalise the HTTPS gateways discussion, adding new text as follows:

**Communication Security**

Appropriate encryption protocols duly tested by the Secretariat and approved by the Commission shall be applied to ensure confidentiality and authenticity. Key management policy shall be in place to support the issue of cryptographic techniques, in particular, the integrity of the PKI (public key infrastructure) will be guaranteed by ensuring that digital certificates correctly identify and validate the party submitting the information.

It was also agreed that PECCOE should consider the possibility of a thorough evaluation of points 1, 2 and 3 of Appendix 1 to Annex IX before the 2012 Annual Meeting and eventually update and improve the text.

It was also agreed that PECCOE should consider the need for NEAFC to create an overarching Recommendation on security and confidentiality, in line with ISO 27001 standard, replacing number 4 of the Appendix 1 of Annex IX.

It was furthermore agreed to send the questions as presented in Annex 2 to AGDC.

5. **Evaluation of the special control measures**

The Secretariat introduced paper PE 2011-03-22 which gives 4 anonymous examples, from 4 different FMCs, of failures in communicating messages and reports. It seems that even though captains seem to be generally doing what they should, their messages and reports are not always forwarded to the Secretariat in the way that they should.

The Russian Federation raised the point of whether it would be useful to know which FMCs were represented in the examples, so that the relevant flag States could respond. The Secretariat explained that the intention had been to give general examples that everyone could learn from, rather than point the finger at particular flag States. Russia accepted that explanation.

The representative of Denmark (in respect of the Faroe Islands and Greenland) noted that a vessel which he believed to be one of those taken as examples here had been inspected by the Faroese authorities. The vessel’s catches according to what had been reported to NEAFC was 500 tonnes, but the captain could demonstrate that he had communicated his catches of 1,100 tonnes to his FMC. The problem was clearly not with the vessel but with the FMC. As our management is based on limiting how much Contracting Parties can catch, catch reporting must be in order and the situation therefore needs to be rectified.

The representative of Iceland pointed out that, as the examples presented were from four different FMCs, this was clearly not an isolated problem. All Contracting Parties must ensure that their FMCs are functioning as they should.
The representative of Norway pointed out that NEAFC depends on a system of flag State enforcement where FMCs play a key role. If the inputs from the FMCs are wrong, then everything that we build on that information will be wrong as well.

The representative of the EU pointed out that there was no suggestion of organised misreporting, so the answer lay simply in going over the issues with the FMCs and ensuring that they improve where needed. As far as their FMCs were concerned, the EU would organise a workshop in January for FMC personnel where the NEAFC Secretariat would provide assistance in explaining how things should function. Other Contracting Parties may wish to look into holding similar workshops.

The Chair noted that it was regrettable that a lack of FMC effectiveness was leading to several vessels being reported as committing serious infringements.

The representative of Denmark (in respect of Faroe Islands and Greenland) questioned whether it was appropriate to consider the vessel as committing a serious infringement if the captain had fulfilled all his obligations. The Chair pointed out that, according to the redfish management measures, if the messages and reports are not sent to the Secretariat the vessel no longer has a valid licence to fish. The rules did not differentiate between a failure by the vessel and a failure by the FMC.

The Secretariat noted that some FMCs forward messages and reports 2-3 times a week, rather than having an automated system forwarding them to the Secretariat. The Secretariat furthermore noted that the FMCs that normally function very well sometimes have inconsistencies in how they interpret the Scheme. It would be useful for the Secretariat to work with the 19 FMCs to try to ensure a uniform interpretation of the provisions of the Scheme, and perhaps propose amendments where there is not enough clarity in the Scheme.

It was noted that the performance of FMCs continues to be a problem. Contracting Parties should make efforts to ensure that their FMCs improve their effectiveness as necessary. It was agreed in this context that holding seminars to improve the effectiveness of FMCs was a good initiative by the EU, and that when experience has been gained at the seminar in January it might be useful to consider if other Contracting Parties wish the Secretariat to contribute to seminars that they may organise, or even if it would be useful to hold a NEAFC seminar with FMC personnel from all Contracting Parties.

5.1 Redfish fisheries special measures

5.1.1 Irminger Sea and adjacent waters
The representative of Iceland introduced document PE 2011-03-11, regarding a compliance review of the 2011 redfish fishery. He stated that the Secretariat was performing well, but input from FMCs was bad. However, as the system was there for
inspection purposes, the Secretariat should notify all Contracting Parties of failures rather than only bring summaries to PECCOE meetings.

His conclusion was that it would be useful to evaluate the performance of Contracting Parties in complying with the redfish measure.

The representative of the EU did not see what would be gained by this. Everyone agreed that there had been problems, and this review would simply tell us what we already know. He expressed doubts regarding the Icelandic proposal.

The representative of Iceland pointed out that the discussion regarding the failures had only looked at four examples, but this would provide a much better overview of the situation.

The representative of Norway agreed that it was important to get to grips with this fishery and therefore supported giving the Secretariat the task of carrying out this exercise.

The representative of the Russian Federation pointed out that the Russian Federation had objected to the management measure that was being discussed and was therefore not bound by it. Including the Russian Federation in a compliance review would not be appropriate.

After some discussion it was agreed that the Secretariat should undertake a review of “reporting to the NEAFC Secretariat”, rather than a “compliance review” as Iceland had originally proposed. The final wording of the proposal that was agreed is as follows:

*To be able to evaluate the reporting performance for the 2011 season, it is proposed to undertake a review of reporting to the NEAFC Secretariat. This is to be done at a vessel by vessel basis and summed up for each Contracting Party and be delivered to PECCOE no later than 1 April 2012.*

The representative of Iceland introduced document PE 2011-03-10, regarding a proposal to evaluate the systems of catch verification used by Contracting Parties. He pointed out that providing information on the catch verification systems is already an obligation under the redfish management measures, and that the key element was to evaluate the effectiveness of the systems. He stated that he was flexible regarding the exact methodology to be used.

The representatives of Norway and Denmark (in respect of the Faroe Islands and Greenland) were positive to the proposal, as all Contracting Parties have such systems in place and it might add transparency to compare them.

The representative of the Russian Federation raised questions regarding the possible results. Would the aim be to try to force through changes in domestic rules on catch verification?
The representative of the EU agreed that transparency in these matters was a positive thing. He pointed out that Icelandic inspectors had observed a landing in Spain, which had contributed to increased understanding and trust between the authorities of different Contracting Parties. He suggested that such observations were positive and should continue.

The representative of Iceland agreed with the EU that the experience of observing procedures in Spain had been positive. He stated that, regarding the proposal, the key issue was to have clarity on how Contracting Parties reach the conclusion that what is counted against 100 tonnes of quota is in fact 100 tonnes of fish. The methods used are different, and should be evaluated.

The representative of Norway observed that this was simply a case of agreeing to begin a discussion on this issue at the next PECCOE meeting.

The Vice Chair summarised that if providing the information was already required under the redfish management measures, everyone would do this as Contracting Parties. The other part of the proposal was in reality simply a decision to discuss the matter at the next PECCOE meeting. He saw no reason not to proceed with this.

The representative of the Russian Federation pointed out that Russia had objected to the redfish management measures and were therefore not bound by its provisions. This needed to be reflected in any decision on this matter, as it did not apply to Russia in the same way as it did to other Contracting Parties.

The Vice Chair suggested that the Icelandic proposal be accepted with the amendment that it would be made clear that this did not include the Russian Federation. However, the Russian Federation would of course be free to submit information on a voluntary basis if it wished to be included in the evaluation.

It was agreed that every Contracting Party / Flag State Contracting Party (other than the Russian Federation) involved in the fishery of redfish in the Irminger Sea and adjacent waters shall notify the Secretariat, if not yet done so, by 1 March 2012 of the systems in place for verification of catches from this fishery, including weighing procedures and inspections of transhipments and landings. PECCOE shall begin to evaluate the effectiveness of these measures during the April meeting of 2012 and include the findings in the yearly report to the Annual Meeting of NEAFC.

The representative of Iceland introduced document PE 2011-03-12, regarding a proposal to conduct a mapping exercise of the 2011 redfish fishery. He stated that it appears that some vessels have been conducting fisheries outside the area where redfish fisheries are allowed. The exercise should result in clearing up what these vessels were doing.

The representative of the EU stated that the presence of inspectors in the area was the way to deal with such issues. He pointed out that EU inspectors had inspected a vessel...
that had been suspected of beginning redfish fisheries too early in the year, but as it turned out the vessel was targeting roundnose grenadier.

The Secretariat pointed out that, although they could perform the exercise if the Contracting Parties wanted, some aspects would have to be outsourced as the Secretariat did not have all the expertise needed. This could possibly be done through an informal agreement with the NAFO Secretariat, which had the relevant expertise. The Secretariat furthermore pointed out that the exercise would primarily result in mapping where the vessels had been, rather than in what they were doing as reports of that had not necessarily been received.

The representative of the EU raised the issue of, if Iceland thinks this would be a useful exercise, why the Secretariat should be asked to perform this. After all, the Icelandic authorities had access to the data and could do it themselves. Contacting Parties regularly carry out comparable exercises when they are determining where to use deploy their inspectors.

The representative of Iceland stated that any analysis done by the Secretariat would be seen to be neutral, which would not necessarily be the case if Iceland did it.

The representative of the EU stated that with the limited benefits, and taking account of the tasks that the Secretariat has been asked to do already regarding a review of reporting, he considered this as unnecessary.

The representative of the Russian Federation stated that she was also not in favour of the proposal.

The representative of Iceland stated that, while he considered this to be an important issue, he would not insist on this point in light of the opposition from some Contracting Parties. He withdrew the proposal and said that Iceland would pursue the matter in another way. He noted that he understood the point raised by the secretariat regarding there not being reports on what the relevant vessels were targeting, but stated that he felt that this made the situation more serious and made the review of reporting to the Secretariat, already agreed under this agenda item, all the more important.

5.1.2 ICES I and II
The Secretariat presented document PE 2011-03-25, a table showing the fisheries for redfish in ICES areas I and II. The notification to close down the fishery was sent two days before the closure became effective. When all catch reports are supposed to have been sent, it appears that around 60 tonnes out of the 7,900 were left.

The representative of Denmark (in respect of Faroe Islands and Greenland) raised the issue of confidentiality in the context of sending the redfish catch tables out as HOD letters. The Secretariat replied that this was done this year in the same way as before.
The representative of the EU stated that it was important to have the total number circulated, but that did not mean that it needed to be broken down on a vessel by vessel basis.

The representative of Iceland stated that there was nothing there that should be hidden. He failed to understand the sensitivity in this context, not least as such tables have been sent out for some time.

The Secretariat pointed out that it was impossible to make with any accuracy an “estimate of catches not yet reported” as the management measure instructed the Secretariat to do. Perhaps the instructions to the Secretariat could in the future be more firmly based on what is likely to be practically possible.

6. Annual Meeting issues referred to PECCOE

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

The representative of Norway introduced document PE 2011-03-13, regarding electronic reporting of catch and activity data.

The Chair concluded that we could either have a completely new system or extract the relevant information from a new system into our current system. He considered that the key issue was to determine what information we need for inspection purposes in NEAFC. Electronic logbooks contain much more information that we currently have.

The representative of the Russian Federation noted that not all Contracting Parties have a system of electronic logbooks. Chapter III of the Scheme must therefore remain until all Contracting Parties can fully implement electronic logbooks. She wondered if the Secretariat could work with two systems simultaneously. If that was not the case then the only option would be to continue to use the current system until all the necessary elements regarding electronic logbooks had been implemented by all the Contracting Parties. She furthermore raised the issue of in what way XML was preferable to the North Atlantic Format for our purposes.

The representative of Norway expressed sympathy for what the representative of the Russian Federation had said and agreed that we should not leave what we have until we are sure that the new system will function effectively.

The representative of Iceland stated that it seems like the Contracting Parties are actually moving faster that NEAFC in this context. He considered that we must speed up our process, as it would enhance our performance as managers and controllers.

The representative of the EU stated this represented a new phase of seeing how electronic logbooks can be implemented in the Scheme. He considered that electronic logbooks should be applied to all vessels in the Regulatory Area, and that if we need a transitional period it should be short. Fishermen should be able to work anywhere in the world on the basis of their electronic logbooks, with inspectors getting access to the information in the
logbooks. What NEAFC should be focusing on is not the messages and reports from the vessels to the FMCs, but only on what information it needs from the FMCs.

The representative of Iceland said that he agreed with much of what the representative of the EU had said. He stressed that, although electronic logbooks would be important from a control perspective, it would also prove to be important for other purposes such as science and statistics.

The representative of Norway stated that we would hopefully end up having a much better system than we have currently. Electronic logbooks would in practice make FMCs responsible for ensuring that logbooks are properly used. The document only shows what changes may be necessary in the Scheme, but we must carefully draft questions to AGDC in this context.

The representative of the EU pointed out that there seems to be a difference in how Contracting Parties approach this issue. His opinion was that electronic logbooks should replace both the logbooks and the hailing system. There would be no catch reporting as such, only entries into the logbooks. Rather than generating reports that are forwarded to inspectors, the inspectors would have access to the information in the electronic logbooks.

The representative of Iceland stated that reports and logbooks should be joined in one system, perhaps by reports being generated by logbook entries.

The representative of the EU considered that with electronic logbooks the information would be on a different basis. The issue would be to define exactly what information there would be access to, rather than what reports would be sent.

The representative of Norway felt it was a more logical way forward to combine electronic logbooks with the hail system. However, the most important task was to ensure clarity on what information we need. We would then see what would be the best way of getting it, i.e. through hailing, automatic generating from electronic logbooks, etc.

The Chair stated that his understanding had been that we were working on the basis of combining electronic logbooks and reporting. What the EU seemed to be suggesting was a departure from that.

The representative of Norway pointed out that the bilateral agreements that we have been using as a basis for work within NEAFC merge electronic logbooks with reporting, rather than having no reporting.

The representative of Denmark (in respect of Faroe Islands and Greenland) stressed the importance of determining what is needed for NEAFC purposes, rather than aiming at copying the EU system, the Norwegian system or any other system.
The representative of Iceland stated that NEAFC should set standards for what information is collected and in what format it is sent to the Secretariat. How Contracting Parties collect the information should not be of concern for NEAFC.

The representative of the EU concluded that the core of the disagreement that seemed to be present was how information is made available to NEAFC. Doing this by allowing access to information in electronic logbooks was a better way of using the technology than basing the system on current practices. He also pointed out that generating reports automatically from the electronic logbooks could create a legal question. If the reports come from the FMC but not the vessel, can the master of the vessel still be held responsible for these reports?

The Chair reminded the meeting that the task at hand was primarily to decide if we had enough information to determine what the implications for the Scheme would be from electronic logbooks.

The representative of the EU stated that the Advisory Group on Data Communication should continue to look at technical aspects of the issue. However, he considered it appropriate to also ask AGDC to look at the difference between having the electronic logbook onboard the vessel and having it at the FMC with daily updates. He wondered if there were tools that would permit us new ways of transferring data from the Contracting Parties to the Secretariat.

The representative of Iceland wondered if it was appropriate for PECCOE to work on some aspects of this issue in parallel to AGDC working on the technical elements. The AGDC Chair pointed out that conclusions regarding one element would affect another and working in parallel would therefore not necessarily be beneficial.

The Chair re-iterated the main issue of whether we were ready to move ahead with the work, and stated that he would prefer not to have to report to the Commission at the Annual Meeting that we are not ready.

The representative of Norway responded by saying that we had already decided on a course and that it would be inappropriate now to say that we want another.

The representative of the EU re-iterated that this was primarily a question of using the new technology properly. We should not limit ourselves on the basis of the functioning of the current system.

The Chair suggested, as a way forward, building on the experience that exists on using electronic logbooks, and using the approach that has already been shown to work in practice by the implementation of the existing bilateral agreements. This should not disregard the notion of following up on the EU suggestion of turning this into a completely new approach at some point in the future. The conclusion would then be to report to the Commission at the Annual Meeting that we are ready to work on adopting an ERS system, and seek a mandate to build that.
The representative of the EU agreed that this could be reported to the Commission at the Annual Meeting, but stated that if that is done we would be missing an opportunity. However, he stated that he would not insist on his approach to the point of preventing a conclusion in this discussion, but re-iterated that this would be a missed opportunity to fully utilise the new technology.

The Chair summed up that the options were, on the one hand, a completely new system like the EU is suggesting or, on the other, a system built on the same basis as the EU/Norway bilateral system. The latter option could be updated into a completely new system further in the future.

The representative of Norway noted that we are not in a position to report to the Commission that we have finalised a plan, but we should also not report that we are going back to the beginning. He stated that we have been working constructively on this for two years and should continue to work on the same basis.

The representative of the EU stated that their suggestion would not necessarily result in a completely new system. However, the door must at least be kept open to in the future going further than what is being discussed now. Going further in this context would mean, for example, looking at whether messages are needed, or if it was enough to make arrangements for access to information in the electronic logbooks.

The representative of Iceland welcomed the statement by the representative of the EU and said that Contracting Parties were now perhaps all moving in the same direction regarding this issue. It seemed we could agree to use the bilateral agreements as a starting point and then develop that further in continuous process after such a system had been established.

The representative of the EU agreed that it would be sufficient to let AGDC continue to think of how the system might be developed further, but to report to the Commission at the Annual Meeting that we will build on the more concrete basis of the document by Norway.

It was agreed that the Chair will report to the Commission at the Annual Meeting that PECCOE has been evaluating the issue of electronic logbooks and had consulted with AGDC. Nothing has been agreed on how a NEAFC electronic logbook system should be, but further work should be based on building a system that will be similar to the bilateral EU/Norway system, with possible further future development. The Chair would seek a mandate for PECCOE to continue the work on this basis.

6.2 Possible amendment of Art. 12 – Communication of catches

The representative of Iceland introduced document PE 2011-03-14 regarding communication of catches on a daily basis. He stated that AGDC had solved the technical hitches that had remained in this context. He also pointed out that, while weekly catch
reporting is the general rule in NEAFC, there are also in force special rules for daily catch reporting for some fisheries. It should therefore not be a problem to move to daily reporting.

The representative of Norway stated that NEAFC is usually at the forefront of international development but in this regard we are a step behind others, including NAFO. He considered that the proposal should be accepted to correct that situation.

The representative of the EU stated that this must be seen in the context of the move to electronic logbooks. With electronic logbooks, this will no longer be an issue as the captains will record their catches in their logbooks every day. It would not be appropriate to make changes to the current system when an improved system is around the corner which will make this a moot point.

The representative of Iceland pointed out that electronic logbooks are still some time away in the NEAFC context, and there was nothing to stop us from moving to daily catch reports immediately. We should improve what we have now, even if we will have an even better system in some years.

The representative of Norway concurred that the foreseeable introduction of electronic logbooks within a relatively short time should not hinder us in moving to daily catch reporting now.

The representative of the EU re-iterated that he considered that electronic logbooks should replace both the old logbooks and the hail-system. As the current system will be phased out in the next 2-3 years he did not see it as appropriate to be updating it. Our efforts should rather be focused on the electronic logbooks.

The representative of Denmark (in respect of Faroe Islands and Greenland) supported the proposal and the views expressed by Iceland.

The representative of Iceland stated that he found the resistance of the EU strange in light of the fact that this very change had been done in NAFO at the initiative of the EU.

The representative of Norway stressed that the main reason why he considered this to be an important change was that it would be helpful for inspectors.

The representative of the EU suggested that he might be willing to accept moving to daily reporting for vessels that do not have an electronic logbook, but changes to the current system should not affect those who are already using a system that NEAFC will within a relatively short time be using too.

The representative of Denmark (in respect of Faroe Islands and Greenland) pointed out that since vessels that have electronic logbooks update them every day it would actually not be a new burden on them to send a report daily to NEAFC. The representative of the EU replied, that according to the Scheme, reports must be sent from the vessel. Daily
reporting would therefore have to be in the form of added reporting duties under the current system. This would not be appropriate when we are soon adopting a new system.

The representative of Iceland stated that he felt that the adoption of a new system in the near future was not an acceptable reason for not adopting daily catch reporting in the current system. It would not be a big change and there were no technical difficulties in implementing it. Iceland would have to hear stronger arguments for it to be persuaded to drop this important issue. He encouraged the EU PECCOE delegation to have discussions with the EU STACTIC delegation, which had been promoting in NAFO what the EU is resisting in NEAFC.

The representative of Iceland furthermore stated that he recognised that EU opposition meant that moving to daily catch reports could not be a recommendation from PECCOE to the Commission at this point in time. However, he stated that this would not stop Iceland from proposing this change at the Annual Meeting. This is what Iceland would do.

The representative of Norway stated that, whether or not this ended up at the Annual Meeting as a PECCOE proposal or a proposal by a Contracting Party, this certainly was an issue that had been discussed at length in PECCOE and is ready for decision.

The representative of the EU reiterated that he did not oppose daily catch reporting as a matter of principle. All EU vessels that are over 15m in length actually have electronic logbooks that are updated at least once a day and they should not be forced to increase their reporting frequency in the old system anymore. He stated that we should invest in the future rather than in the past.

6.3 Procedures for correction and cancellation of messages


The Chair stated that this seemed quite clear and pointed out that this had been looked at by AGDC. He asked if PECCOE could agree on the proposal.

After a minor correction had been made in the document as reflected in document PE 2011-03-15 rev1, it was agreed to recommend to the Commission to adopt the revised proposal as presented in Annex 3.

The Chair introduced documents PE 2011-03-16 and PE 2011-03-28, regarding cancellations of reports. He pointed out that these were originally proposals by the Russian Federation, but that they had been amended by AGDC.

The Chair of AGDC stated that the approach in the current documents was a simplified version of what had been in the original proposal, but that all the necessary elements had been maintained.
There was general agreement on the usefulness of making it possible to cancel reports. There was a lengthy discussion on the most appropriate wording of the proposal, and what Articles in the Scheme should be referred to. The result was that it was agreed to recommend to the Commission that it adopt the revised proposal in document PE 2011-03-28 rev4 as presented in Annex 4.

7. Proposal for a NEAFC catch certification scheme
The representative of the EU introduced document PE 2011-03-07, recalling that internal regulation aims at fighting IUU activities and improving traceability of fish products, and that is the reason to introduce a NEAFC catch certification scheme (CCS) to introduce a similar system in NEAFC and to eventually replace obligations of other Contracting Parties under the EU IUU Regulation No 1005/2008 when exporting fish products into the EU. He recalled that other Contracting Parties had not presented any contributions on the matter. The representative of the EU noted that Iceland’s comments are the same as in previous discussions.

The representative of Iceland introduced document PE 2011-03-05, stating that the document reflected Iceland’s response to the EU proposal. It puts forward the view that the EU creates an unequal administrative burden among Contracting Parties.

The representative of the EU stated that he would like to clarify that a NEAFC CCS will apply both to Contracting Parties and non-Contracting Parties. He noted that improved traceability would be important in such fisheries as the redfish that is so important for Iceland.

The representative of the Russian Federation noted that the EU proposal is a consequence of the Russian proposal to merge PSC forms with a CCS to reduce the administrative tasks of the vessels operators. She asked if the introduction of a NEAFC CCS would replace the existing EU requirements. She stated that a PSC form with more information could be accepted by the EU as a valid catch certificate document.

Upon the Chair asking whether it could be an option to combine PSC with CCS, the representative of Norway expressed the view that this could be a possibility. Nevertheless, if a CSS was to be introduced, it should be included in the Scheme of Control and Enforcement, rather than being a “stand alone” recommendation, and it should not be paper based but be completely electronic.

The representative of Iceland considered that perhaps the EU could explain in more detail how the CCS would work.

The representative of the EU considered that another round of explanation would not add significant information. He noted that the EU is committed to replacing existing EU requirements with a NEAFC CCS if the agreed version of the EU proposal keeps its principles and aims. Digitalisation of the CCS requirements should be a goal but a paper
based system should not be excluded. He furthermore stated that the possibility could also be envisaged of using the NEAFC CCS forms and procedures for the purpose of the existing NEAFC PSC rather than the opposite.

The representative of Norway was of the view that CCS could be an important tool in combating IUU. However, he was not sure what value the EU proposal would bring in a NEAFC context. He considered that PCS should be kept as it is today and it is not willing to change it if future CCS is not clear.

The representative of the Russian Federation stated that she has questions on technical issues related to the implementation of a CCS since this will have potential serious implications for Russia.

The representative of Iceland supported the Norwegian intervention.

The representative of the EU clarified that the actual PSC is to be kept. Currently, fishing vessels have to comply with two requirements: the NEAFC PSC and the EU catch certification. Other RFMOs have already adopted CCSs that were accepted by the EU as a replacement for the EU catch certification. He referred that if the present proposal is approved by Contracting Parties without being weakened it will in principle replace the existing EU catch certification. Once again the objective of the EU catch certification is to control the imports of fish products into the EU and not to control landings of fishing vessels in EU ports.

The Chair wondered whether the EU would accept a modified PSC form to fulfil CCS requirements.

The representative of Norway reminded the participants that the original Russian question on this issue was: ‘What does NEAFC have to modify in the existing PSC form in order to be accepted by EU as a CCS?’

The representative of Denmark (in respect of the Faroe Islands and Greenland) stated that Greenland does have to fill out EU catch certification forms and would like a modified PSC form to be accepted by the EU for CCS purposes.

The representative of the EU reiterated that PSC is a fisheries control issue and the CCS is a customs issue, and therefore a CCS form needed much more information than a PCS form. He also noted that for the purpose of the flag State validation of the forms it is quite common that an agency validating PSC forms for a flag State is not the same as the agency validating information on CCS forms.

The representative of Iceland stated that he would like to note that the overall value of a new NEAFC CCS is to be defined as the validation of information of forms greatly depends on the accuracy of the available data for the agencies with validation responsibility.
The representative of Norway noted that an eventual NEAFC CCS should be digitally based, not paper based, from inception and that the Secretariat’s needs in terms of resources should be taken in consideration by Contracting Parties.

The Chair summarised the discussions that some Contracting Parties consider that the way forward may be the merging of PSC and CCS forms into one unique form even if PSC and CCS could be two separate chapters of the Scheme of Control and enforcement.

The representative of Denmark (in respect of the Faroe Islands and Greenland) considered that the forms should be kept as simple as possible and that any changes should be widely justified and should bring a clear benefit to control and enforcement.

The representative of the Russian Federation repeated its position that NEAFC should aim to have less forms even taking into account the changes needed for the harmonisation with the FAO PSMA.

The representative of Norway considered that merging forms of the NEAFC PSC with FAO PSMA and even with a future CCS would be rather difficult. He considered that PECCOE had a mandate from the Commission to “examine the implications that the FAO PSMA may have on the PSC measures in the NEAFC Scheme of Control and Enforcement, and to propose any amendments required in a NEAFC context” and that had been done by PECCOE. He also invited the EU to review its proposal taking into account the comments made by other Contracting Parties, without compromising the proposal’s goals and objectives. He stated that Norway considers that there are two possible options for a way forward: either the EU modifies the present proposal and continues further discussions within PECCOE, or PECCOE prepares a text with the main findings and conclusions to present to the Commission.

The representative of Denmark (in respect of the Faroe Islands and Greenland) considered that the role of the Secretariat in a CCS (i.e. as main data depository) should be clarified.

The representative of the EU stated that the role of the Secretariat is still open for discussion.

The representative of Iceland agreed with the Norwegian proposal on the options for a way forward.

The Chair resumed discussions and taking in account the positions of the Contracting Parties he considered the possibility of producing text for the Commission with the conclusion of the discussions. He invited the Contracting Parties to produce such text.

The representative of the EU stated that he would certainly work along with other Contracting Parties in order to find common ground.
The agreed text, which the Chair will present to the Commission at the Annual Meeting, is the following:

The NEAFC Commission gave its consent to the PECCOE “Ad Hoc Working Group on Port State Control” to “examine issues related to the EU Catch Certification Scheme” and for this purpose the EU would make proposals for changes to the Scheme to take account of the EU IUU Regulation.

The EU tabled a working document on a possible NEAFC Catch Certification Scheme (CCS) aiming to improve the fight against IUU activities in the NEAFC Convention Area. If NEAFC were to adopt a CCS along those lines, then it could in principle be recognised by the EU under its IUU Regulation; in cases where the NEAFC Catch Certificate is produced, the EU Catch Certificate would no longer be required.

Delegations examined the EU proposal for a NEAFC CCS and found that it would be possible to either create a NEAFC CCS or to improve and extend the existing PSC (Chapter V) to include required information. Some Delegations raised a number of concerns and questioned the need to continue the exercise.

PECCOE considers that it did fulfil the requirements of the mandate given by the Commission.

8. Any other business
No points were raised under this agenda item.

The draft Report was open for comments until the end of the day on Friday 21 October, when the Report was finalised.

10. Closure of the meeting
The Chair closed the meeting and thanked the Vice-Chair for replacing him for a part of the meeting at a very short notice. He wished everybody a safe journey home.
<table>
<thead>
<tr>
<th>IMO</th>
<th>Name</th>
<th>IRCS</th>
<th>Flag</th>
<th>Old Name</th>
<th>Last Known Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>7306570</td>
<td>Alboran II</td>
<td>unknown</td>
<td>Panama</td>
<td>White Enterprise</td>
<td>Gibraltar (31 March 2009)</td>
</tr>
<tr>
<td>8422852</td>
<td>Dolphin</td>
<td>unknown</td>
<td>Ognevka</td>
<td></td>
<td>Murmansk, Russian Fed. (October 2007)</td>
</tr>
<tr>
<td>8604668</td>
<td>Eros Dos</td>
<td>HO-5115</td>
<td>Panama</td>
<td>Furabolos</td>
<td>St. Eugenia de Ribeira, Spain (5 March 2009)</td>
</tr>
<tr>
<td>6719419</td>
<td>Gorilero</td>
<td>unknown</td>
<td>unknown</td>
<td>Gran Sol</td>
<td>La Coruna, Spain (September 2007)</td>
</tr>
<tr>
<td>7332218</td>
<td>Iannis I</td>
<td>H03374</td>
<td>unknown</td>
<td>Gran Sol</td>
<td>Indian Ocean (2007)</td>
</tr>
<tr>
<td>7325746</td>
<td>Maine</td>
<td>3XL2</td>
<td>Guinea- Conakry</td>
<td></td>
<td>NEAFC Regulatory Area (29 October 2007)</td>
</tr>
<tr>
<td>7385174</td>
<td>Murtosa</td>
<td>unknown</td>
<td>unknown</td>
<td>Aveiro, Portugal (since 2005)</td>
<td></td>
</tr>
<tr>
<td>6706084</td>
<td>Red</td>
<td>3EJ13</td>
<td>Panama</td>
<td>Lisbon, Portugal (since 2005)</td>
<td></td>
</tr>
<tr>
<td>7321374</td>
<td>Yucatan Basin</td>
<td>3EGV5</td>
<td>Panama</td>
<td>Enxembre</td>
<td>Gibraltar (March 2009)</td>
</tr>
</tbody>
</table>
Questions for PECCOE and for AGDC on security and confidentiality

PECCOE should consider the possibility of amending the last paragraph “Communication Security” of number 4 of Appendix 1 of Annex IX, in order to harmonise procedures with NAFO and finalise the HTTPS gateways discussion, adding new text as follows:

**Communication Security**

*Appropriate encryption protocols duly tested by the Secretariat and approved by the Commission shall be applied to ensure confidentiality and authenticity. Key management policy shall be in place to support the issue of cryptographic techniques, in particular, the integrity of the PKI (public key infrastructure) will be guaranteed by ensuring that digital certificates correctly identify and validate the party submitting the information.*

PECCOE should consider the possibility of a thorough evaluation of points 1, 2 and 3 of Appendix 1 to Annex IX before the 2012 Annual Meeting and eventually update and improve the text.

PECCOE should consider the need for NEAFC to create an overarching Recommendation on security and confidentiality, in line with ISO 27001 standard, replacing number 4 of the Appendix 1 of Annex IX.
Annex 2

AGDC should consider the possibility to convene a meeting with security and confidentiality experts in order to address the following issues:

- Determine the different levels (high, medium, low) of restriction for the different data (i.e. VMS, PSC);
- Determine procedures for restricted data transfer for inspection platforms and/or other institutions (ICES, FAO);
- Verification of data destruction procedures by CPs; or delete the requirement for such destruction;
- Define data that can be submitted using web input vs. FMC network input
- Establish procedures to add and remove users from user lists; determination of individual credentials/restrictions; possibility for CPs (each SSA) to manage lists of users;
- Auditing and analysis of access and input logs;

AGDC should evaluate the following matrix and expand and/or improve it if necessary. Using a matrix to identify and prioritise components of data security (which change according to data type) will bring clarity to discussions and provide a clear basis for choosing specific technologies.

<table>
<thead>
<tr>
<th>Data / information</th>
<th>Web app public</th>
<th>Web app authenticated users</th>
<th>Inspection reports</th>
<th>VMS restricted</th>
<th>VMS for science</th>
<th>PSC</th>
<th>ERS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authentication</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Authorisation</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Confidentiality</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Integrity</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Availability</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Auditing</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accounting</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

AGDC should consider the need for NEAFC to create an overarching Recommendation on security and confidentiality, in line with ISO 27001 standard, based on the conclusions from the meeting of the security and confidentiality experts.
Annex 3

From AGDC Chair

**Error codes for duplicated messages/reports received by the Secretariat.**

Russia presented Document AGDC 2010-03 and it was agreed to revise the proposed table.

<table>
<thead>
<tr>
<th>Subject/Annex</th>
<th>Errors</th>
<th>Error cause</th>
</tr>
</thead>
<tbody>
<tr>
<td>Communication</td>
<td>105</td>
<td>This report is a duplicate and has got the status Not Acknowledge (NAK), because this was the status when received earlier</td>
</tr>
<tr>
<td></td>
<td>155</td>
<td>This report is a duplicate and has got the status Acknowledge (ACK), because this was the status when received earlier</td>
</tr>
</tbody>
</table>
Proposal to implement Cancel report to the NEAFC Scheme

(Presented by the Russian Federation)

Background:

At the meeting of the AGDC held in May 2011 the Group had provided the technical review of the proposal concerning the Cancel report presented by the Russian Federation (STACTIC WP 10/15 revised). AGDC discussed and revised the proposal as AGDC 2011-2-19 rev1 and found the proposal technically feasible. Based on these documents and taking into account remarks from AGDC discussion delegation of the Russian Federation presents the revised proposal concerning the Cancel report.

Proposal:

1. Add the new paragraph to the Article 14:

“4. The reports set out in Articles 12 and 13 may be cancelled using the format specified in Annex VIII 7). If a report set out in Article 12 or 13 is subject to correction, a new report must be sent without delay after the Cancel report within time limits set out in Articles 12 and 13.

If the flag state FMC accepts the cancellation of a report from its vessel it shall communicate it to the Secretary”.

2. Add the following to the end of the Annex VIII:

Annex VIII 7) “CANCEL” report

<table>
<thead>
<tr>
<th>Data Element</th>
<th>Field Code</th>
<th>Mandatory/Optional</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Start record</td>
<td>SR</td>
<td>M</td>
<td>System detail; indicates the start of record</td>
</tr>
<tr>
<td>From</td>
<td>FR</td>
<td>M</td>
<td>Name of the transmitting Party</td>
</tr>
<tr>
<td>Address</td>
<td>AD</td>
<td>M</td>
<td>Message detail; destination, “XNE” for NEAFC</td>
</tr>
<tr>
<td>Type of Message</td>
<td>TM</td>
<td>M</td>
<td>Message detail; message type, “CAN” as Cancel report</td>
</tr>
<tr>
<td>Radio call sign</td>
<td>RC</td>
<td>M</td>
<td>Vessel registration detail; international radio call sign of the vessel</td>
</tr>
<tr>
<td>Cancelled report</td>
<td>CR</td>
<td>M</td>
<td>Message detail; the record number of the report to be cancelled</td>
</tr>
<tr>
<td>Year of the report</td>
<td>YR</td>
<td>M</td>
<td>Message detail; year of the report to be cancelled</td>
</tr>
<tr>
<td>cancelled</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Date</td>
<td>DA</td>
<td>M</td>
<td>Message detail; date of transmission</td>
</tr>
<tr>
<td>Time</td>
<td>TI</td>
<td>M</td>
<td>Message detail; time of transmission</td>
</tr>
<tr>
<td>End of record</td>
<td>ER</td>
<td>M</td>
<td>System detail; indicates end of the record</td>
</tr>
</tbody>
</table>

1 A Cancel report shall not be used to cancel another Cancel report

3. Add two rows to the Annex IV C1) to the category “Message Details”

<table>
<thead>
<tr>
<th>Cancelled report</th>
<th>CR</th>
<th>Num*6</th>
<th>NNNNNN</th>
<th>Number of the record to be cancelled</th>
</tr>
</thead>
</table>
### Annex 4

<table>
<thead>
<tr>
<th>Year of the report cancelled</th>
<th>YR</th>
<th>Num*4</th>
<th>NNNN</th>
<th>Year of the report to be cancelled</th>
</tr>
</thead>
</table>

4. Make the proper amendments to Annex IX C3) “Field codes described in C(1) or (2) listed alphabetically”.

5. Add the following row to the Annex IX E) “Types of reports and messages”

| VIII 7) | Article 13 (3) | CAN | cancel | Report for cancellation of a report set out in Article 12 or 13 |