

Northwest Atlantic



Fisheries Organization

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**Modification of NAFO Conservation and Enforcement Measures
Article 32 (Serious Infringements)**

(Paper presented by Delegation of Iceland)

Background

The changes to these paragraphs are meant to ensure the continuity of inspections of vessels that have been cited cf. paragraph 2 of the same article. The proposal is in the first place aimed at making it possible for the inspector that makes the citation to stay onboard the vessel until it is certain that an inspector from the Flag Contracting Party is present and in a position to inspect the vessel. Secondly the inspector is allowed to stay onboard while the Contracting Party inspector conducts a follow up inspection. This makes the whole procedure more transparent and excludes the opportunity to alter the situation onboard between the citation and the inspection by the Flag Contracting Party inspector. By sharpening of the wording of the article the effectiveness and continuity of the procedure laid out in this article is more secure.

To enable the fishing vessel to resume its normal fishing operation after an inspection has been completed and possible evidences sealed or safeguarded, one sentence has been added to paragraph 6 to facilitate for that.

The current reading of paragraph 8 is that inspectors from other Contracting Parties are allowed to board and remain onboard while the vessel proceeds to port pursuant to paragraph 7. The change in the wording of paragraph 8 is only to underline that the inspector that made the citation is allowed to remain onboard during that time as well.

Article 32 paragraphs 5, 6 and 8 shall read as follows:

5. The inspector is entitled to remain on board the vessel for the period necessary to provide information to the authorised inspector concerning the infringement. During this time, the inspector shall complete the inspection and, within a reasonable period of time, communicate with an inspector or competent authority of the Contracting Party of the inspected vessel. Following the arrival of the Contracting Party inspector, the inspector may remain aboard the inspected vessel while the Contracting Party inspector conducts an inspection, provided that the competent authority of the Contracting Party of the inspected vessel does not require the inspector to leave the vessel.
6. As long as the inspector remains aboard, the master may not resume fishing until the inspector is reasonably satisfied, as a result of either the action taken by the vessel's master or the inspector's communication with an inspector or competent authority of the Contracting Party of the inspected vessel, that the infringement will not be repeated. However, in cases where the inspector is unable to communicate with the authority of the Contracting Party of

the inspected vessel, the master may resume fishing as soon as the inspector has completed the inspection and secured evidence according to paragraph 4.

8. When a vessel is required to proceed to port pursuant to paragraph 7, an inspector from another Contracting Party may board and/or remain on board the vessel as it is proceeding to port, provided that the competent authority of the Contracting Party for the inspected vessel does not require the inspector to leave the vessel.